THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA SCRIPTA MANET
1934

FEDERAL REGISTER

VOLUME 16 NUMBER 217

Washington, Wednesday, November 7, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2952

THANKSGIVING DAY, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

More than three centuries ago the Pilgrim fathers deemed it fitting to pause in their autumn labors and to give thanks to Almighty God for the abundant yield of the soil of their new homeland. In keeping with that custom, hallowed by generations of observance, our hearts impel us, once again in this autumnal season, to turn in humble gratitude to the Giver of our bounties.

We are profoundly grateful for the blessings bestowed upon us: the preservation of our freedom, so dearly bought and so highly prized; our opportunities for human welfare and happiness, so limitless in their scope; our material prosperity, so far surpassing that of earlier years; and our private spiritual blessings, so deeply cherished by all. For these we offer fervent thanks to God.

With the cooperation of our allies we are striving to attain a permanent peace, and to assure success in achieving that coveted goal we reverently place our faith in the Almighty.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, according to our treasured tradition, and in conformity with the joint resolution of Congress approved on December 26, 1941, designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 22, 1951, as a day of national thanksgiving. Let us all on that day, in our homes and in our places of worship, individually and in groups, render homage to Almighty God. Let us recall the words of the Psalmist, "O give thanks unto the Lord; for He is good: for His mercy endureth forever." Let us also, on the appointed day, seek divine aid in the quest for peace.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of November in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-13446; Filed, Nov. 5, 1951; 2:32 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5669]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LORRAINE SMART SHOPS, INC., ET AL.

Subpart—*Concealing or obliterating law required and informative marking:* § 3.525 *Wool products tags or identification.* In connection with the purchase, offering for sale, sale, or distribution of wearing apparel or any other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the Wool Products Labeling Act of 1939, with intent to violate the provisions of said Wool Products Labeling Act, and which stamp, tag, label, or other means of identification purports to contain all or any part of the information required by said act; prohibited.

(Sec. 6, 38 Stat. 722, sec 6, 54 Stat. 1131; 15 U. S. C. 46, 68d. Interprets or applies sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130; 15 U. S. C. 45, 68–68c) [Cease and desist order, Lorraine Smart Shops, Inc., Docket 5669, September 27, 1951]

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

In the Matter of Lorraine Smart Shops, Inc., a Corporation; Lorraine Roanoke Shop, Inc., a Corporation; and Mrs. Ruby Shepherd, Individually and as a Managerial Employee of Lorraine Smart Shops, Inc.

Pursuant to the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, and by virtue of the authority vested in it by said acts, the Federal Trade Commission, on June 28, 1949, issued and subsequently served its complaint in this proceeding upon the respondents named in the caption hereof, charging them with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said acts and the rules and regulations promulgated under the Wool Products Labeling Act of 1939, in connection with the sale of women's wearing apparel. After the filing of respondents' answer, hearings were held before a trial examiner of the Commissioner theretofore duly designated by it, at which testimony and other evidence in support of and in opposition to the allegations of the complaint were introduced, and said testimony and other evidence were duly recorded and filed in the office of the Commission. On May 14, 1951, the trial examiner filed his initial decision.

The Commission, having reason to believe that the initial decision did not constitute an adequate disposition of the matter, subsequently placed this case on its own docket for review, and on August 17, 1951, it issued, and thereafter served upon the parties, its order affording the respondents an opportunity to show cause why said initial decision should not be altered in the manner and to the extent shown in a tentative decision of the Commission attached to said order. Respondents having filed no objections in response to the leave to show cause, the proceeding regularly came on for final consideration by the Commission upon the record herein on review; and the Commission, having duly considered the matter and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes this its findings as to the facts, conclusion drawn therefrom, and order, the same to be in lieu of the initial decision of the trial examiner.

It is ordered, That the respondent Lorraine Smart Shops, Inc., a corporation, its officers, respondents Lorraine Roanoke Shop, Inc., a corporation, its officers, and respondent Mrs. Ruby Shepherd, individually and as a managerial employee of Lorraine Smart Shops, Inc., trading under the name of Lorraine Smart Shops, Inc., Lorraine Roanoke Shop, Inc., or any other name, their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the purchase, offering for sale, sale, or distribution of wearing apparel or any other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the Wool Products Labeling Act of 1939, with intent to violate the provisions of said Wool Products Labeling Act, and which stamp, tag, label, or other means of identification purports to contain all or any part of the information required by said act.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: September 27, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-13403; Filed, Nov. 6, 1951; 8:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

PART 171—MISCELLANEOUS REGULATIONS RELATING TO LIQUOR

NATIONAL EMERGENCY TRANSFERS OF DISTILLED SPIRITS

1. On July 28, 1951, a notice of proposed rule making was published in the FEDERAL REGISTER (16 F. R. 7421) under Part 171, "Miscellaneous Regulations Relating to Liquor" (26 CFR Part 171), to give effect to House Joint Resolution 73 (Public Law 76, 82nd Congress) which added at the end of subchapter E of chapter 26 of the Internal Revenue Code, a new section designated, "Section 3183, National Emergency Transfers of Distilled Spirits," as follows:

JOINT RESOLUTION

AMENDING CHAPTER 26 OF THE INTERNAL REVENUE CODE

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that chapter 26 of the Internal Revenue Code is amended by adding at the end of subchapter E a new section designated 3183 to read as follows:

SEC. 3183. NATIONAL EMERGENCY TRANSFERS OF DISTILLED SPIRITS.

(a) *Transfers permitted.* Under regulations prescribed by the Secretary, distilled spirits of any proof including alcohol (the term "distilled spirits" or "spirits" as hereinafter used in this section shall include alcohol) may be removed in bond in approved containers and pipelines from any registered distillery including a registered fruit distillery (such registered distillery and registered fruit distillery hereinafter referred to as "distillery"), internal revenue bonded warehouse, industrial alcohol plant or industrial alcohol bonded warehouse to any distillery, internal revenue bonded warehouse, industrial alcohol plant or industrial alcohol bonded warehouse for redistillation, or storage, or any other purpose deemed necessary to meet the requirements of the national defense: *Provided*, That any such distilled spirits may be stored in approved tanks in, or constituting a part of, any internal revenue bonded warehouse or industrial alcohol bonded warehouse: *Provided further*, That any such distilled spirits removed to an industrial alcohol plant or industrial alcohol bonded warehouse may be withdrawn therefrom if of a proof of one hundred and sixty degrees or more for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C; and any such distilled spirits removed to a distillery or internal revenue bonded warehouse may be withdrawn therefrom if of a proof of one hundred and sixty degrees or more for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery: *Provided further*, That any such distilled spirits, upon removal from a distillery or internal revenue bonded warehouse for transfer to an industrial alcohol plant or industrial alcohol bonded warehouse or for any tax-free purpose authorized by part II of subchapter C, shall be subject to the provisions of part II of subchapter C: *Provided further*, That when any distilled spirits are removed under the provisions of this section to a distillery, industrial alcohol plant, or industrial alcohol bonded warehouse, the tax liability of the proprietor of the distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse from which the spirits are removed, and the liens on such distillery, industrial alcohol plant, or industrial alcohol bonded warehouse, shall cease; and at and from the time the distilled spirits leave the distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse the tax shall be the liability of the proprietor of, and the liens shall be transferred to the premises of, the distillery, industrial alcohol plant, or industrial alcohol bonded warehouse to which the distilled spirits are transferred: *Provided further*, That when any distilled spirits are removed under the provisions of this section to an internal revenue bonded warehouse the proprietor of such warehouse shall be primarily liable for the tax on the spirits at and from the time the spirits leave the premises from which transferred: *Provided further*, That the provisions of section 2901 of the Internal Revenue Code shall apply in respect of losses of any distilled spirits transferred, or removed for transfer, under this section to a distillery or internal revenue bonded warehouse; and the provisions of section 3113 of the code shall apply in respect of losses of any distilled spirits transferred, or removed for transfer, under this section to an industrial alcohol plant or industrial alcohol bonded warehouse: *And provided further*, That sections 2836 and 2870 of the Internal Revenue Code shall not apply to the production or redistillation and removal of any such spirits; nor shall sections 2800 (a) (5) and 3250 (*) of the code apply to the redistillation or to the mingling at a distillery or an internal revenue bonded warehouse or in the course of removal, of any such spirits.

(b) *Exemption from statutory requirements.* The Secretary may temporarily exempt proprietors of distilleries, internal revenue bonded warehouses, industrial alcohol plants, or industrial alcohol bonded warehouses from any provision of the internal revenue laws relating to distilled spirits, except those requiring payment of

the tax thereon, whenever in his judgment it may seem expedient to do so to meet the requirements of the national defense. Whenever the Secretary shall exercise the authority conferred by this subsection he may prescribe such regulations as may be necessary to accomplish the purpose which caused him to grant the exemption.

(c) *Termination of section.* The authority conferred upon the Secretary by this section shall expire five years from the date of enactment of this section.

2. After consideration of all such relevant matter as was presented by interested persons regarding the proposal, the following regulations are hereby prescribed:

SUBPART G—NATIONAL EMERGENCY TRANSFERS OF DISTILLED SPIRITS

AUTHORITY: §§ 171.170 to 171.280 issued under Pub. Law 76, 82d Cong.)

SUBPART G—NATIONAL EMERGENCY TRANSFERS OF DISTILLED SPIRITS

§ 171.170 *Scope of regulations in this subpart.* The regulations in this subpart prescribe the procedural and substantive requirements in addition to the applicable provisions of Regulations 3, 4, 5, and 10 (Parts 182, 183, 184, 185 of this subchapter), necessary to effectuate section 3183, I. R. C. (Pub. Law 76, 82d Congress, approved July 11, 1951) concerning national emergency transfers of distilled spirits. Subject to the provisions of this subpart, proprietors of registered distilleries, fruit distilleries, and internal revenue bonded warehouses will be governed by the applicable provisions of Regulations 4, 5, and 10, respectively, and proprietors of industrial alcohol plants, industrial alcohol bonded warehouses, and denaturing plants will be governed by the applicable provisions of Regulations 3.

DEFINITIONS

§ 171.171 *Meaning of terms.* As used in this subpart, unless the context otherwise requires, terms shall have the meanings ascribed in §§ 171.172 to 171.191.

§ 171.172 *Approved containers.* "Approved containers" shall mean the containers prescribed by Regulations 3, 4, 5, and 10, and shall include railroad tank cars, tank trucks, tank ships, tank barges, and such other containers and bulk conveyances as authorized by this subpart or by the Commissioner.

§ 171.173 *Carrier.* "Carrier" shall mean a person or agency regularly engaged in the transportation of movable property by railroad, steamship, tank ship, barge, motor truck, tank truck, or other vehicle capable of being used as a means of transportation.

§ 171.174 *Commissioner.* "Commissioner" shall mean the Commissioner of Internal Revenue.

§ 171.175 *Denaturing plant.* "Denaturing plant" shall mean a denaturing plant established and operated under the provisions of Regulations 3 (Part 182 of this subchapter).

§ 171.176 *Distilled spirits.* "Distilled spirits" or "spirits" shall include alcohol, but not those beverage spirits commonly known as whisky, brandy, rum, gin, etc., or other beverage spirits of less than 160 degrees of proof, except when removed for redistillation or for storage pending redistillation.

§ 171.177 *Distillery.* "Distillery" shall mean a registered distillery established and operated under the provisions of Regulations 4 (Part 183 of this subchapter) or a fruit distillery established and operated under the provisions of Regulations 5 (Part 184 of this subchapter).

§ 171.178 *District supervisor or supervisor.* "District supervisor" or "supervisor" shall mean the person having charge of a supervisory district of the Alcohol Tax Unit of the Bureau of Internal Revenue.

§ 171.179 *Fruit distillery.* "Fruit distillery" shall mean a distillery estab-

lished and operated under the provisions of Regulations 5 (Part 184 of this subchapter).

§ 171.180 *Including.* The word "including" shall not be deemed to exclude things other than those enumerated which are in the same general class.

§ 171.181 *Inclusive language.* Words in the plural shall include the singular, and vice versa, and words in the masculine gender shall include females, associations, copartnerships, and corporations.

§ 171.182 *Industrial alcohol bonded warehouse.* "Industrial alcohol bonded warehouse" shall mean a bonded warehouse established and operated under the provisions of Regulations 3 (Part 182 of this subchapter).

§ 171.183 *Industrial alcohol plant.* "Industrial alcohol plant" shall mean an alcohol plant established and operated under the provisions of Regulations 3 (Part 182 of this subchapter).

§ 171.184 *Internal revenue bonded warehouse.* "Internal revenue bonded warehouse" shall mean a bonded warehouse established and operated under the provisions of Regulations 10 (Part 185 of this subchapter).

§ 171.185 *I. R. C.* "I. R. C." shall mean the Internal Revenue Code.

§ 171.186 *Motor carrier.* "Motor carrier" shall mean a motor carrier licensed under the Motor Carrier Act of 1935 (49 U. S. C. 301), or an applicable state law, or a private carrier employed by, or acting as agent for, the consignor or consignee, who is actively and regularly engaged generally in the legitimate business of transportation, who possesses adequate facilities to insure safe delivery at destination of any distilled spirits transported by him, and who is approved by the district supervisor; or the consignor or consignee acting as a private carrier.

§ 171.187 *Part II of subchapter C.* "Part II of subchapter C" shall mean sections 3100–3126 of the Internal Revenue Code.

§ 171.188 *Registered distillery.* "Registered distillery" shall mean a distillery established and operated under the provisions of Regulations 4 (Part 183 of this subchapter).

§ 171.189 *Secretary.* "Secretary" shall mean the Secretary of the Treasury.

§ 171.190 *United States.* "United States" shall include any governmental agency of the United States.

§ 171.191 *U. C. C.* "U. S. C." shall mean the United States Code.

TRANSFERS PERMITTED

§ 171.195 *Authorized removals.* Distilled spirits of any proof may be removed in bond in approved containers and pipe lines from any distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse to any distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse for redistillation, or storage, or any other purpose deemed necessary to meet the requirements of the national defense, as authorized by this subpart, or by the Commissioner. Any such distilled spirits may be stored in approved tanks in, or constituting a part of, any internal revenue bonded warehouse or industrial alcohol bonded warehouse. Distilled spirits may be withdrawn from industrial alcohol plants or industrial alcohol bonded warehouses if of a proof of 160 degrees or more for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C. Distilled spirits may be withdrawn from distilleries or internal revenue bonded warehouses if of a proof of 160 degrees or more for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery. Any such distilled spirits, upon removal from a distillery or an internal revenue bonded warehouse for transfer to an industrial alcohol plant or industrial alcohol bonded warehouse or for any tax-free purpose authorized by part II of subchapter C, shall be subject to the provisions of part II of subchapter C and Regulations 3. The removals for tax-free purposes authorized by part II of subchapter C include removals for denaturation, for use of the United States, for export, and for the other tax-free purposes authorized by section 3108, I. R. C.

§ 171.196 *Other transfers in bond authorized by Commissioner.* In addition to the purposes authorized by this subpart for the transfer in bond of distilled spirits between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, the Commissioner may authorize the transfer in bond of distilled spirits between such premises for any other purpose which he deems necessary to meet the requirements of the national defense, subject to such limitations and conditions as may be imposed by him.

KINDS OF CONTAINERS

§ 171.200 *General.* Approved containers, used for the removal for redistillation, storage, or other purposes authorized by this subpart, weighing tanks used for gauging, tanks used for storage, and pipe lines used for removal of distilled spirits as authorized by this subpart, shall be those authorized by, and shall conform as to construction, security, marking, etc., to the provisions of this subpart and the applicable provisions of Regulations 3, 4, 5, and 10. The Commissioner may permit other construction which he finds necessary because of the requirements of the national defense, subject to such limitations and conditions as may be imposed by him, provided such substitute construction affords adequate protection to the revenue.

§ 171.201 *Removal by pipeline.* Distilled spirits of any proof may be removed by pipeline for transfer in bond between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses in accordance with the provisions of this subpart and the applicable procedure prescribed by Regulations 3, 4, 5, and 10, where the premises to which the distilled spirits are to be so transferred are located in the immediate vicinity of the premises from which the distilled spirits are to be removed. Distilled spirits of 160 degrees or more of proof may be removed by pipeline where the bonded premises, or the establishment, to which the distilled spirits are to be transferred are located in the immediate vicinity of the premises from which the distilled spirits are to be removed (a) from an industrial alcohol plant or industrial alcohol bonded warehouse for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C, or (b) from a distillery or an internal revenue bonded warehouse for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery; both in accordance with the procedure prescribed by this subpart and the applicable provisions of Regulations 3, 4, 5, and 10. As used in this section, by the term "immediate vicinity" is meant the area intervening between the two premises from and to which the spirits are transferred by pipeline which is readily susceptible to observation and supervision by Government officers assigned at the establishments from and to which the spirits are transferred. The rules and procedure prescribed in Regulations 3, 4, 5, and 10, relative to the construction, approval, and use of pipelines for the transfer of distilled spirits between premises shall be followed, in so far as applicable, in the construction, approval, and use of pipelines under this subpart.

§ 171.202 *Removal by tank cars and tank trucks.* Distilled spirits of any proof may be transferred in bond in tank cars or tank trucks between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, in accordance with the provisions of this subpart and the applicable procedure prescribed by Regulations 3, 4, 5, and 10. Distilled spirits of 160 degrees or more of proof may be removed in tank cars or tank trucks (a) from an industrial alcohol plant or industrial alcohol bonded warehouse for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C, or (b) from a distillery or an internal revenue bonded warehouse for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery; both in accordance with the procedure prescribed by this subpart and the applicable provisions of Regulations 3, 4, 5, and 10.

§ 171.203 *Removal by tank ships and tank barges.* Distilled spirits of any proof may be transferred in bond in tank ships or tank barges between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, in accordance with the provisions of this subpart.

Tank ships and tank barges need not be calibrated, nor need calibration charts be prepared. The carrier must file bond in accordance with § 171.208 or § 171.209, as the case may be. Tank ships and tank barges must be secure and all openings affording access to the distilled spirits must be arranged in such manner that they can be securely fastened and sealed. Prior to filling, the Government officer shall inspect each tank ship or tank barge and determine whether the same can be securely fastened and sealed and is otherwise suitable for the transportation of distilled spirits. The Government officer will not permit the filling of any tank ship or tank barge that is not equipped for sealing or which will not afford adequate protection to the distilled spirits. Such shipments may be made only where the premises of both the consignor and the consignee are equipped with suitable dock facilities, and where the distilled spirits are run directly from the tank ship or tank barge into suitable tanks on the consignee's premises. Distilled spirits of 160 degrees or more of proof may be removed in tank ships or tank barges (a) from an industrial alcohol plant or industrial alcohol bonded warehouse for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C, or (b) from a distillery or an internal revenue bonded warehouse for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery; both in accordance with the procedure prescribed by this subpart.

§ 171.204 *Sealing of conveyances.* Where distilled spirits are to be removed under the provisions of this subpart from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, in tank cars, tank trucks, tank ships, tank barges, or other bulk conveyances approved by the Commissioner, the storekeeper-gauger will, immediately after filling, seal with cap seals furnished by the Government, all openings affording access to the spirits. The serial numbers of the cap seals so used will be entered by the storekeeper-gauger on Form 236, 1440, 1453, or 1704, as the case may be. Where the proprietor provides seal locks for locking conveyances in accordance with Regulations 3, such locks will be used in lieu of cap seals.

§ 171.205 *Marking of containers.* Where distilled spirits are removed for any of the purposes authorized by this subpart from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, the containers shall be marked as prescribed in this section. If the conveyance is a tank car, tank truck, tank ship, tank barge, or other bulk conveyance approved by the Commissioner, a label shall be securely affixed by the consignor to the route board of the tank car or tank truck, or at a suitable location on the tank ship, tank barge, or other bulk conveyance where it may be readily examined by government officers. The label shall plainly show the name, registry number, and address of the consignor; the name, registry or permit number (if any), and address of the consignee; the date of shipment; the kind of distilled spirits; the proof and temperature ascertained at the time of filling prior to removal; the number of inches above or below the full mark (or other clearly designated gauge mark on the conveyance); the purpose of withdrawal (for transfer in bond, for denaturation, for use of the United States, etc.); and the quantity in proof gallons. If the distilled spirits are contained in more than one compartment of the conveyance, the information with respect to proof, temperature, gauge mark, and quantity will be furnished for each compartment. In any event, such label or labels shall be destroyed by the consignee after emptying the conveyance. If the distilled spirits so removed are in packages, drums, or similar containers, the proprietor will, under the general supervision of the storekeeper-gauger and before removal, mark such containers in accordance with the applicable provisions of Regulations 3, 4, 5, and 10. The date and purpose of the removal and the registry or permit number (if any) of the consignee must be marked on the head of the package in every instance. When the distilled spirits to be withdrawn are the mingled products of different distillers, the name and registry number of the premises where the distilled spirits were commingled shall be shown on the containers (where required), and on the required forms, in lieu of the names and registry numbers of the producing distillers.

CARRIERS

§ 171.207 *Permit.* Any carrier, as defined in § 171.173, or any motor carrier, as defined in § 171.186, who desires to transport distilled spirits of 160 degrees or more of proof removed for any tax-free purpose authorized by part II of subchapter C, must procure permit (Form 145) so to do, in accordance with the applicable procedure prescribed by Regulations 3. Any motor carrier who desires to transport distilled spirits of any proof for transfer in bond from distilleries and internal revenue bonded warehouses to industrial alcohol plants or industrial alcohol bonded warehouses, between industrial alcohol plants or industrial alcohol bonded warehouses, or from industrial alcohol plants and industrial alcohol bonded warehouses to distilleries and internal revenue bonded warehouses, must procure permit (Form 145) so to do, in accordance with the applicable procedure prescribed by Regulations 3. A carrier, or motor carrier, who holds a permit pursuant to Regulations 3 to transport tax-free alcohol, undenatured ethyl alcohol, or specially denatured alcohol, and who desires to transport distilled spirits for any tax-free purpose, or for transfer in bond, as provided by this section, must file application on Form 144 for amendment of his permit, Form 145, to authorize the transportation of such distilled spirits.

§ 171.208 *Bond; transportation by carrier.* A carrier, or a motor carrier other than a consignor or consignee, (a) who procures a permit (Form 145) prescribed by § 171.207 to transport tax-free distilled spirits of 160 degrees or more of proof, in tank trucks or tank barges, or to transport distilled spirits of any proof, in tank trucks or tank barges, for transfer in bond from distilleries and internal revenue bonded warehouses to industrial alcohol plants and industrial alcohol bonded warehouses, between industrial alcohol plants or industrial alcohol bonded warehouses, or from industrial alcohol plants and industrial alcohol bonded warehouses to distilleries and internal revenue bonded warehouses, or (b) who desires to transport distilled spirits of any proof, in tank trucks or tank barges, for transfer in bond between distilleries and internal revenue bonded warehouses, must file with the district supervisor a bond on Form 49: *Provided*, That a bond will not be required for tank barges if the applicant is a steamship (not including tugboats) company, nor will a bond be required for a self-propelled tank barge. If the transportation is in tank trucks, the penal sum of the bond shall be at the rate of $75,000 for each tank truck and not more than $200,000 for the total of all tank trucks used. If the transportation is in tank barges, the penal sum of the bond shall be $200,000 regardless of the number of tank barges used. If the transportation is to be by both tank trucks and tank barges, the penal sum shall be at the rate of $75,000 for each tank truck or $200,000 for the total of all tank trucks used and at the rate of $200,000 for each tank barge or group of tank barges used, subject to a maximum bond limitation of $400,000 for all tank trucks and tank barges used. The bond shall be filed in triplicate, appropriately modified. Where a carrier holds a permit to transport tax-free alcohol, undenatured ethyl alcohol, or specially denatured alcohol which is supported by bond, Form 49, and files application for amendment of the permit to authorize the transportation of tax-free distilled spirits as provided in § 171.207, or distilled spirits to be transferred in bond as provided in this section, the carrier must file consent of surety, Form 1533, on his bond, extending the terms thereof to cover such distilled spirits, removed tax-free, or transferred in bond. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to be liable for distilled spirits withdrawn free of tax or removed for transfer in bond transported by him, to the same extent as tax-free alcohol transported by him.

§ 171.209 *Bond; transportation by consignor or consignee.* A consignor or consignee, acting as a private carrier, (a) who procures a permit (Form 145) prescribed by § 171.207 to transport tax-free distilled spirits of 160 degrees or more of proof in tank trucks or tank barges, or to transport distilled spirits of any proof, in tank trucks, or tank barges, for transfer in bond from distilleries and internal revenue bonded warehouses to industrial alcohol plants and industrial alcohol bonded warehouses, between industrial alcohol plants or industrial alcohol bonded warehouses, or from

industrial alcohol plants and industrial alcohol bonded warehouses to distilleries and internal revenue bonded warehouses, or (b) who desires to transport distilled spirits of any proof, in tank trucks or tank barges, for transfer in bond between distilleries and internal revenue bonded warehouses, must file with the district supervisor a bond on Form 49, properly modified, in the penal sum specified in § 171.208: *Provided*, That in lieu of filing such bond, the consignor or consignee may file consent of surety, Form 1533, on his bond, Form 30, 30½, 1571, or 1432-A, as the case may be, extending the terms thereof to cover the tax, or an amount equal to the tax, as the case may be, together with all penalties and interest, for which he may become liable, on all distilled spirits transported by him in tank trucks or tank barges. Where the distillery bond, Form 30, or 30½, is filed without surety, supported by consent of surety on the distiller's transportation and warehousing bond, Form 1571, the required consent shall extend the terms of both bonds to assume such liability. Where bond, Form 30, 30½, 1571, or 1432–A is given in an amount less than the penal sum required, a new or additional bond on the respective form, with proper consent of surety, or a separate bond on Form 49, in a sufficient penal sum must be furnished to cover the additional liability. The bond shall be filed in accordance with the applicable provisions of Regulations 3, 4, 5, and 10, and of this subpart. The consent of surety shall be in substantially the following form:

To extend the terms of the said bond to cover liability for the tax or an amount equal to the tax, together with penalties and interest, on all distilled spirits received for transportation or transported by the principal and not lawfully delivered, excepting only losses of such spirits otherwise provided for by law.

§ 171.210 *Approval of tank trucks.* Each tank truck to be used for the transportation of distilled spirits must meet the requirements of Regulations 3, 4, 5, or 10. No application for an original or amended permit, Form 145, prescribed by § 171.207 for the transportation in tank trucks of distilled spirits, shall be approved unless and until it is determined by the district supervisor, after inspection, that the tank truck meets the requirements of the regulations. A copy of Form 145, certified by the district supervisor, shall be attached to the route board of the tank truck. No bond prescribed by §§ 171.208 and 171.209 for the transportation in tank trucks of distilled spirits transferred in bond between distilleries and internal revenue bonded warehouses shall be approved by the district supervisor, unless and until it is determined by him, after inspection, that each tank truck meets the requirements of Regulations 4, 5, or 10. If the tank truck meets such requirements, the district supervisor will so advise the carrier, by letter, describing the tank truck by serial number and capacity. Where the letter of approval covers more than one tank truck, a sufficient number of signed copies will be furnished the carrier to provide one copy for each tank truck. The letter of approval shall be attached to the route board of the tank truck. Where a tank truck has been approved and Form 145 issued covering the transportation of distilled spirits pursuant to § 171.207, such tank truck may also be used for the transportation of distilled spirits transferred in bond between registered distilleries and internal revenue bonded warehouses provided the penal sum of the bond is sufficient to meet the requirements of § 171.208 or § 171.209, as the case may be.

GAUGING OF DISTILLED SPIRITS

§ 171.212 *Transferred between bonded premises by pipeline.* When distilled spirits of any proof are transferred by pipeline between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, and when distilled spirits of 160 degrees or more of proof are removed, free of tax, from any such premises for transfer by pipeline to a denaturing plant, for denaturation, as authorized by this subpart, such distilled spirits shall be gauged in a weighing tank at the time of transfer, either in the premises from which they are removed or in the premises to which they are transferred, but the spirits need not be gauged in both premises: *Provided*, That where neither of the premises is equipped with a weighing tank, the spirits may be gauged by volume in accurately calibrated tanks in either of the premises.

§ 171.213 *Transferred between bonded premises by tank cars, tank trucks, or tank barges.* When distilled spirits of any proof are transferred by tank cars, tank trucks, or tank barges, between distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, and when distilled spirits of 160 degrees or more of proof are removed, free of tax, from any such premises for transfer by tank cars, tank trucks, or tank barges to a denaturing plant, for denaturation, such distilled spirits shall be gauged in a suitable weighing tank in the shipping premises at the time of shipment and in the receiving premises at the time of receipt: *Provided*, That where the shipping or receiving premises, or both, are not equipped with a weighing tank, the spirits transferred in tank cars or tank trucks may be weighed on railroad car or tank truck scales, as the case may be, located on the bonded premises, by weighing the railroad car or tank truck both before and after filling or emptying, or both, as the case may be: *And provided further*, That where the shipping or receiving premises, or both, are not equipped with a weighing tank, or railroad car or tank truck scales, the spirits may be gauged by volume in accurately calibrated tanks, but, in any event, they must be gauged (either by weight or by volume) in both the shipping and receiving premises.

§ 171.214 *Received in distillery or industrial alcohol plant for weighing only.* When it is desired to transfer distilled spirits to an internal revenue bonded warehouse or industrial alcohol bonded warehouse and it is desired to weigh the spirits upon receipt and there are no weighing facilities at the warehouse, but there are such facilities at the distillery or industrial alcohol plant, as the case may be, located on the same or contiguous premises, the spirits may be received in the distillery or industrial alcohol plant for gauging by weight prior to deposit in the warehouse.

§ 171.215 *Removed for use of the United States.* When distilled spirits of 160 degrees or more of proof are withdrawn from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, for use of the United States, they must be gauged by weight in a weighing tank (except packages, which must be gauged by weight on appropriate scales) in each instance at the premises from which removed: *Provided*, That where the shipping premises are not equipped with a weighing tank and the spirits are transferred in tank cars or tank trucks, they may be weighed on railroad car or tank truck scales, as the case may be, located on the shipping premises, by weighing the railroad car or tank truck both before and after filling: *And provided further*, That where the shipping premises are not equipped with a weighing tank, or railroad car or tank truck scales, the spirits may be gauged by volume in accurately calibrated tanks before removal.

§ 171.216 *Removed for other tax-free purposes or upon taxpayment.* When distilled spirits of 160 degrees or more of proof are withdrawn from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, by pipeline, tank car, or tank truck, for a tax-free purpose (other than for removal for denaturation, exportation by tank ship, or for use of the United States), or upon taxpayment, as authorized by this subpart, the spirits must be gauged by weight in each instance.

§ 171.217 *Determination of proof.* The proof of distilled spirits transferred in bond or withdrawn free of tax for denaturation or for use of the United States, under the provisions of this subpart, will be determined to the nearest one-tenth of a degree. The addition of water to reduce the spirits to a flat proof will not be required except where the spirits are withdrawn for taxpayment or for a tax-free purpose other than for denaturation or for use of the United States, unless in the latter case the Governmental agency to which the spirits are shipped desires to have the spirits so reduced.

DESIGNATION OF DISTILLED SPIRITS

§ 171.220 *General.* Distilled spirits removed under the provisions of this subpart from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses shall be designated in accordance with the applicable provisions of Regulations 3, 4, 5, and 10, except as provided in §§ 171.221 to 171.224.

§ 171.221 *"Neutral spirits—mixed," "spirits—mixed".* Where distilled spirits, originally produced from different kinds of materials, are (a) redistilled together

at distilleries in accordance with § 171.236, (b) mingled in tanks at a distillery in accordance with § 171.235, (c) mingled in tanks at an internal revenue bonded warehouse in accordance with § 171.243, or (d) mingled in tank cars, tank trucks, tank barges, etc., in the course of removal from a distillery or an internal revenue bonded warehouse in accordance with § 171.276 or § 171.277, they shall be designated "neutral spirits—mixed" if 190 degrees or more of proof, or "spirits—mixed", if of a proof less than 190 degrees.

§ 171.222 *"Alcohol — mixed," "unfinished alcohol—mixed."* Where distilled spirits, originally produced from different kinds of materials, are (a) redistilled together at industrial alcohol plants in accordance with § 171.255, (b) mingled in tanks at an industrial alcohol plant in accordance with § 171.253, (c) mingled in tanks at an industrial alcohol bonded warehouse in accordance with § 171.254, or (d) mingled in tank cars, tank trucks, tank barges, etc., in the course of removal from an industrial alcohol plant or industrial alcohol bonded warehouse in accordance with § 171.276 or § 171.277, they shall be designated "alcohol—mixed", if 160 degrees or more of proof, or "unfinished alcohol—mixed", if of a proof less than 160 degrees.

§ 171.223 *Alcohol deposited in distilleries and internal revenue bonded warehouses.* Alcohol deposited in tanks at distilleries in accordance with § 171.231 for purposes other than redistillation, or deposited in tanks in internal revenue bonded warehouses in accordance with § 171.240, may be removed under the designation of "Alcohol" or be redesignated, upon removal, as "neutral spirits—grain," "neutral spirits—cane," or "neutral spirits—fruit," if 190 degrees or more of proof, or "spirits—grain," "spirits—cane," or "spirits—fruit," if less than 190 degrees of proof, in accordance with the applicable provisions of Regulations 4, 5, and 10.

§ 171.224 *Distilled spirits deposited in industrial alcohol plants and bonded warehouses.* Distilled spirits produced at distilleries and subsequently deposited in tanks at industrial alcohol plants and industrial alcohol bonded warehouses, shall be received and accounted for in accordance with §§ 171.253 and 171.254, respectively.

EXEMPTIONS FROM STATUTORY REQUIREMENTS

§ 171.227 *Sunday and night time operations.* Section 3183, I. R. C., provides that, under regulations, section 2836 of the Internal Revenue Code shall not apply to the production or redistillation of distilled spirits at a distillery, nor shall section 2870 of the code apply to the removal of distilled spirits from any distillery or internal revenue bonded warehouse. Section 3103, I. R. C., exempts industrial alcohol plants and industrial alcohol bonded warehouses from the provisions of sections 2836 and 2870 of the code, subject to the regulatory restriction. Distilled spirits may be produced or redistilled at distilleries between 11:00 p. m. Saturday and 1:00 a. m. Monday, or received at or removed from distilleries, internal revenue bonded warehouses, industrial alcohol plants, or industrial alcohol bonded warehouses between sundown and sunrise, or on Sunday, only for use by the United States or any Governmental agency thereof, or for any other purpose deemed by the Commissioner to be necessary to meet the requirements of the national defense: *Provided,* That distilled spirits may be received or removed in tank ships or tank barges at night or on Sunday for any authorized purpose. (The term production, as used, shall include mashing, setting fermenters, and distilling.) When it is desired to so produce, redistill, receive, or remove distilled spirits, the proprietor will make application, in duplicate, to the district supervisor for permission so to do. The application shall specify the dates and hours on which it is desired to conduct such operations and the purpose and the necessity therefor. The application shall be filed sufficiently in advance of the time of the operations specified in the application to enable the district supervisor to determine the necessity therefor, and, if he approves the application, to assign a Government officer to supervise the operations where deemed necessary. District supervisors will approve such applications only where (a) the necessity therefor is shown, (b) the purpose is one authorized in this subpart, and (c) Government officers are available for necessary supervision. Where it is desired to conduct operations during such hours regularly, the application may be made, and the permission granted, accordingly.

§ 171.228 *Rectification taxes.* Section 3183, I. R. C., provides, under regulations, that sections 2800 (a) (5) and 3250 (f) of the Internal Revenue Code, levying commodity and occupational rectification taxes, shall not apply to the redistillation of distilled spirits at a distillery, or to the mingling of distilled spirits at a distillery or an internal revenue bonded warehouse, or in the course of removal therefrom.

§ 171.229 *Authorized by the Commissioner.* Section 3183 (b), I. R. C., provides that the Secretary may temporarily exempt proprietors of distilleries, internal revenue bonded warehouses, industrial alcohol plants, or industrial alcohol bonded warehouses from any provision of the internal revenue laws relating to distilled spirits, except those requiring payment of the tax thereon, whenever in his judgment it may seem expedient to do so to meet the requirements of the national defense. By virtue of and pursuant to authority vested in the Secretary by Reorganization Plan No. 26 of 1950, (15 F. R. 4935) authority is hereby conferred and imposed upon the Commissioner of Internal Revenue to permit nonrecurring operations not authorized by this subpart, where deemed necessary to meet exigencies and the requirements of the national defense, subject to such limitations and conditions as may be imposed by him and provided such operations afford adequate protection to the revenue.

TRANSFERS IN BOND TO DISTILLERIES

§ 171.231 *Authorized transfers.* Distilled spirits of any proof may be transferred in bond to any distillery from any other distillery, or from an internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, for redistillation only, except (a) for gauging in a weighing tank prior to deposit in a warehouse tank where a weighing tank is not available in the warehouse, or (b) for temporary storage in locked tanks pending transfer to warehouse tanks or, if 160 degrees or more of proof, for removal for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery.

§ 171.232 *Consent of surety, Form 1533, on distillery bonds.* The proprietor of a distillery, in order to withdraw distilled spirits from other distilleries, or from internal revenue bonded warehouses, industrial alcohol plants, or industrial alcohol bonded warehouses under the provisions of this subpart, shall file consent of surety, Form 1533, on his distillery bond, Form 30 or 30½, as the case may be, extending the terms thereof to assume liability for payment of the tax on the distilled spirits from the time they leave the distillery, internal revenue bonded warehouse, industrial alcohol plants, or industrial alcohol bonded warehouse from which they are removed. Where the distillery bond, Form 30 or 30½, is filed without surety, supported by consent of surety on the distiller's transportation and warehousing bond, Form 1571, the required consent shall extend the terms of both bonds to assume such liability. Where the distillery bond, Form 30 or 30½, is in less than the maximum penal sum and is insufficient to cover the tax on the spirits to be received, plus the quantity of spirits that will be produced at the distillery during a period of 15 days, a new or additional bond in a sufficient penal sum shall be filed by the distiller. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to insure the payment of all taxes, together with penalties and interest, for which the principal may become liable on distilled spirits removed for transfer in bond to him from registered distilleries, fruit distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, pursuant to section 3183, I. R. C., and regulations, from the time the distilled spirits leave the distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, from which removed, including the transportation, redistillation, storage, and disposition of the distilled spirits, as provided by law and regulations.

§ 171.233 *Transfer of liens.* When distilled spirits of any proof are transferred in bond, under the provisions of this subpart, to a distillery from another distillery, or from an internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, the tax liability of the proprietor of the distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded

warehouse, from which the spirits are removed, and the liens on such distillery, industrial alcohol plant, or industrial alcohol bonded warehouse, shall cease; and at and from the time the distilled spirits leave the shipping distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, the tax shall be the liability of the proprietor of, and the lien shall be transferred to the premises of, the receiving distillery.

§ 171.234 *Transfer procedure.* The transfer in bond of distilled spirits to a distillery from another distillery or from an internal revenue bonded warehouse will be made pursuant to application, Form 236, in accordance with the applicable procedure prescribed by Regulations 4, 5, and 10: *Provided,* That where the distiller operates an internal revenue bonded warehouse or another distillery on premises contiguous to the receiving distillery and the location of the warehouse or other distillery is such that the storekeeper-gaugers assigned to the receiving distillery and to the warehouse or shipping distillery are able to maintain the same supervision of the transfer of spirits as is required in the case of the deposit in a warehouse on the distillery premises, of spirits produced at such distillery, the transfer may be made pursuant to Form 1520 only. Distilled spirits may be transferred to a distillery for redistillation without the special application of the distiller, or the showing of the need for redistillation prescribed by Regulations 4 and 5. Where the distiller files a consent of surety pursuant to § 171.232, the district supervisor will so inform the storekeeper-gauger in charge of the distillery. He will advise him currently of any change in the penal sum of such bond. Where transfers are to be made to a distillery pursuant to Form 236, the storekeeper-gauger at the receiving distillery, upon receipt of Form 236 from the proprietor, will certify to the sufficiency of the bond if it meets the requirements of § 171.232 and consent of surety has been filed as required by such section. If not, he will certify to that effect on Form 236. Where transfers are to be made to a distillery pursuant to Form 1520 only, the storekeeper-gauger at the receiving distillery will make a similar determination concerning the bond, but the transfer of the distilled spirits will not be made until such storekeeper-gauger has advised the storekeeper-gauger at the shipping premises that the bond is sufficient and that a consent of surety has been filed. The transfer in bond of alcohol to a distillery from an industrial alcohol plant or industrial alcohol bonded warehouse will be made in accordance with the procedure prescribed by § 171.259.

§ 171.235 *Deposit in tanks.* When distilled spirits are received at a distillery pursuant to § 171.231, they shall be deposited in closed, locked tanks. When received in packages, the contents must be dumped and deposited immediately in such tanks. Distilled spirits received in packages, tank cars, tank trucks, or tank barges, or by pipe line, may be deposited in the same tanks. Distilled spirits of different proof, or which were produced from different kinds of materials, or by different distillers, or at different distilleries, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, or which are otherwise heterogeneous, may be deposited in the same tanks. When distilled spirits produced from different kinds of materials are mingled in tanks at a distillery they shall be redesignated in accordance with the provisions of § 171.221 and may be removed only (a) for redistillation in accordance with the provisions of § 171.236, (b) for transfer in bond as specified in this subpart, or (c) if 160 degrees or more of proof, for an authorized tax-free purpose, or upon taxpayment for use in the manufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. For record purposes, distilled spirits deposited in tanks under the provisions of this section, except for redistillation, shall be accounted for under the designation of "spirits." Distilled spirits received for redistillation shall be accounted for as materials, under the removal designation (such as Spirits-Grain, alcohol, etc.), in accordance with the applicable provisions of Regulations 4 and 5.

§ 171.236 *Redistillation.* Distilled spirits received at a distillery for redistillation may be redistilled separately or with other distilled spirits, including distilled spirits of different proof, or produced from different kinds of materials, or produced by different distillers, or at different distilleries: *Provided,* That where distilled spirits produced from grain, cane, fruit, and other materials are redistilled together, the redistilled spirits shall be designated in accordance with § 171.221 and may be removed only (a) for transfer in bond as specified in this subpart, or (b) if 160 degrees or more of proof, for an authorized tax-free purpose, or upon tax payment for use in the manufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. The redistillation of distilled spirits will be in accordance with this subpart and the applicable provisions of Regulations 4 and 5.

§ 171.237 *Records.* Distilled spirits produced or redistilled at registered distilleries and fruit distilleries, and distilled spirits transferred in bond to, or removed for an authorized purpose from, registered distilleries and fruit distilleries, under this subpart, shall be reported and accounted for in accordance with this subpart and the applicable provisions of Regulations 4 or 5, as the case may be.

TRANSFERS IN BOND TO INTERNAL REVENUE BONDED WAREHOUSES

§ 171.240 *Authorized transfers.* Distilled spirits of any proof may be transferred in bond to any internal revenue bonded warehouse from any distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, for storage prior to removal (a) for redistillation, (b) for transfer in bond to other bonded premises as authorized by this subpart, or (c) if 160 degrees or more of proof, for removal for any tax-free purpose authorized by part II of subchapter C or for any purpose authorized in the case of like spirits produced at a distillery.

§ 171.241 *Consent of surety, Form 1533, on warehouse bond.* The proprietor of an internal revenue bonded warehouse, in order to have distilled spirits transferred in bond to his warehouse from industrial alcohol plants and industrial alcohol bonded warehouses, shall file consent of surety, Form 1533, on his transportation and warehousing bond, Form 1571, extending the terms thereof to assume liability for payment of the tax on the distilled spirits from the time they leave the industrial alcohol plant or industrial alcohol bonded warehouse from which they are removed. Where the warehouse bond is in less than the maximum penal sum and is insufficient to cover the tax on any distilled spirits to be transferred, determined in accordance with the provisions of Regulations 10 concerning the determination of bond liability, a new or additional bond in a sufficient penal sum shall be filed by the proprietor. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to insure the payment of all taxes, together with penalties and interest, for which the principal may become liable on distilled spirits removed for transfer in bond to him from industrial alcohol plants and industrial alcohol bonded warehouses, pursuant to section 3183, I. R. C., and regulations, from the time the distilled spirits leave the industrial alcohol plant or industrial alcohol bonded warehouse from which removed, including the transportation, storage, and disposition of the distilled spirits as provided by law and regulations.

§ 171.242 *Transfer procedure.* The transfer in bond of distilled spirits to internal revenue bonded warehouses from distilleries or from other internal revenue bonded warehouses will be made pursuant to application, Form 236, in accordance with the applicable procedure prescribed by Regulations 4, 5, and 10: *Provided,* That where the warehouseman operates a distillery on premises contiguous to the warehouse premises, and the location of the distillery is such that the storekeeper-gaugers assigned to the cistern room and to the warehouse are able to maintain the same supervision of the deposit in the warehouse of spirits produced at such distillery as is required in the case of the deposit in a warehouse on the distillery premises of spirits produced at such distillery, the transfer may be made pursuant to Form 1520 only. The district supervisor will inform the storekeeper-gauger in charge of the warehouse when any consent of surety is filed pursuant to § 171.241. The transfer in bond of alcohol to an internal revenue bonded warehouse from an industrial alcohol plant or industrial alcohol bonded warehouse will be in accordance with the procedure prescribed by § 171.259.

§ 171.243 *Deposit in tanks.* Distilled spirits received at an internal revenue bonded warehouse from distilleries, internal revenue bonded warehouses, industrial alcohol plants, and industrial alcohol bonded warehouses, may be stored in warehouse tanks, or in the containers in which they were transferred to the warehouse. Distilled spirits transferred to warehouses in packages, tank cars, tank trucks, or tank barges, or by pipeline, may be deposited in the same tanks, subject to the provisions of this section. Distilled spirits produced by the same distiller, of different proof, or which were produced from different kinds of materials, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, or which are otherwise heterogeneous, may be deposited in the same tanks. Distilled spirits produced by different distillers may be mingled and deposited in the same tanks, except that spirits of less than 190 degrees of proof may be mingled only where the spirits are produced for, or sold to, the United States. When distilled spirits produced from different kinds of materials are mingled in tanks at an internal revenue bonded warehouse, they shall be redesignated in accordance with the provisions of § 171.221 and may be removed only (a) for transfer in bond as specified in this subpart, or (b) if 160 degrees or more of proof, for an authorized tax-free purpose, or upon taxpayment for use in the manufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. For record purposes, distilled spirits deposited in tanks under the provisions of this section shall be accounted for under the designation of "spirits." Additional deposit of spirits may be made in a warehouse tank after removals have been made therefrom without the necessity of first emptying the tank. The 8-year period on distilled spirits commingled in warehouse storage tanks is governed by the date of original entry into an internal revenue bonded warehouse of the oldest spirits.

§ 171.244 *Records.* The receipt and disposition of distilled spirits at an internal revenue bonded warehouse shall be reported and accounted for in accordance with the provisions of this suppart and the applicable provisions of Regulations 10.

TRANSFERS IN BOND TO INDUSTRIAL ALCOHOL PLANTS AND INDUSTRIAL ALCOHOL BONDED WAREHOUSES

§ 171.248 *Authorized transfers.* Distilled spirits of any proof may be transferred in bond to any industrial alcohol plant from any distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse, for redistillation only, except (a) for gauging in a weighing tank prior to deposit in a warehouse tank where a weighing tank is not available in the warehouse, or (b) for temporary storage in locked tanks pending transfer to warehouse tanks or, if 160 degrees or more of proof, for removal for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C. Distilled spirits of any proof may be transferred in bond to any industrial alcohol bonded warehouse from any distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse for storage prior to removal (a) for redistillation, (b) for transfer in bond to other bonded premises as authorized by this subpart, or (c) if 160 degrees or more of proof, for any tax-free purpose, or upon payment of tax for any purpose, authorized by part II of subchapter C, in accordance with this subpart.

§ 171.249 *Consent of surety, Form 1533, on plant or warehouse bond.* The proprietor of an industrial alcohol plant or industrial alcohol bonded warehouse, in order to have distilled spirits transferred in bond to his plant or warehouse, from distilleries or internal revenue bonded warehouses, shall file consent of surety, Form 1533, on his bond, Form 1432–A, extending the terms thereof to assume liability for payment of the tax on the distilled spirits from the time they leave the distillery or internal revenue bonded warehouse from which they are removed. When Form 1432–A is in less than the maximum penal sum and is insufficient to cover the tax on any distilled spirits to be transferred, determined in accordance with the provisions of Regulations 3, concerning the determination of bond liability, a new or additional bond in a sufficient penal sum shall be filed by the proprietor. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to insure the payment of all taxes, together with penalties and interest, for which the principal may become liable on distilled spirits removed for transfer in bond to him from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to section 3183, I. R. C., and regulations, from the time the distilled spirits leave the distillery or internal revenue bonded warehouse from which removed, including the transportation, redistillation, storage and disposition of the distilled spirits, as provided by law and regulations.

§ 171.250 *Transfer of liens.* When distilled spirits of any proof are transferred in bond under the provision of this subpart to an industrial alcohol plant or industrial alcohol bonded warehouse from a distillery, an internal revenue bonded warehouse, or another industrial alcohol plant or industrial alcohol bonded warehouse, the tax liability of the proprietor of the distillery, internal revenue bonded warehouse, industrial alcohol plant, or industrial alcohol bonded warehouse from which the spirits are removed, and the liens on such distillery, industrial alcohol plant, or industrial alcohol bonded warehouse shall cease; and at and from the time the distilled spirits leave the shipping distillery, internal revenue bonded warehouse, industrial alcohol plant or industrial alcohol bonded warehouse, the tax shall be the liability of the proprietor of, and the lien shall be transferred to the premises of, the receiving industrial alcohol plant or industrial alcohol bonded warehouse.

§ 171.251 *Basic and withdrawal permits.* The proprietor of an industrial alcohol plant or industrial alcohol bonded warehouse, in order to withdraw distilled spirits from distilleries and internal revenue bonded warehouses, must file application on Form 1431 with the district supervisor of his district for amendment of his basic permit, Form 1433, to authorize the procurement of such distilled spirits. Application for withdrawal permit shall be made on Form 1436, properly modified, for removal either to the industrial alcohol plant or to the industrial alcohol bonded warehouse. The district supervisor in issuing withdrawal permit on Form 1436 will modify such form to specify "distilled spirits" and withdrawal from a registered distillery, fruit distillery, or internal revenue bonded warehouse. Distilled spirits may be shipped from distilleries and internal revenue bonded warehouses to industrial alcohol plants and industrial alcohol bonded warehouses only pursuant to, and upon receipt of, proper withdrawal permit on Form 1436 authorizing such shipment, in accordance with the procedure prescribed in Regulations 3.

§ 171.252 *Transfer procedure.* The transfer in bond of distilled spirits of any proof to industrial alcohol plants and industrial alcohol bonded warehouses from distilleries and internal revenue bonded warehouses shall be made in accordance with the applicable procedure prescribed by Regulations 4, 5, and 10, covering transfers in bond between distilleries and internal revenue bonded warehouses, except that Form 1704 (prepared by the consignor proprietor), in lieu of Form 236, will be used with Form 1520 or Form 1619, as the case may be. Form 1704 will be prepared as indicated by the headings of the various columns and lines on the form and the instructions printed thereon or issued in respect thereto, and as required by this subpart. The proprietor will prepare an original and five copies of Form 1704 in the case of intradistrict transfers, and an original and six copies in the case of interdistrict transfers, and submit them with the withdrawal permit, Form 1436, to the storekeeper-gauger. The copies of Forms 1704 and 1520 or 1619 will be disposed of in the same manner as prescribed for the disposition of Forms 236 and 1520 or 1619. The transfer in bond of distilled spirits of any proof to industrial alcohol plants or industrial alcohol bonded warehouses from industrial alcohol plants and industrial alcohol bonded warehouses will be made in accordance with the applicable procedure prescribed by Regulations 3.

§ 171.253 *Deposit in tanks at industrial alcohol plants.* When distilled spirits are received at an industrial alcohol plant pursuant to § 171.248, they shall be deposited in closed, locked tanks. When received in packages, the contents must be dumped and deposited immediately in such tanks. Distilled spirits received in packages, tank cars, tank trucks, or tank barges, or by pipeline, may be deposited in the same tanks. Distilled spirits of different proof, or which were produced from different

kinds of materials, or by different distillers, or at different distilleries, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, or which are otherwise heterogeneous, may be deposited in the same tanks. When distilled spirits produced from different kinds of materials are mingled in tanks at an industrial alcohol plant, they shall be redesignated in accordance with the provisions of § 171.222 and may be removed only (a) for redistillation in accordance with the provisions of § 171.255, (b) for transfer in bond as specified in this subpart or (c) if 160 degrees or more of proof for an authorized tax-free purpose, or upon taxpayment for nonbeverage purposes or for use in the manufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. For record purposes, distilled spirits deposited in tanks under the provisions of this section, except for redistillation, shall be classified and accounted for as "alcohol." Distilled spirits received for redistillation shall be accounted for as materials, under the removal designation (such as Spirits-Grain), in accordance with the applicable provisions of Regulations 3.

§ 171.254 *Deposit in tanks at industrial alcohol bonded warehouses.* When distilled spirits are received at industrial alcohol bonded warehouses from industrial alcohol plants, industrial alcohol bonded warehouses, distilleries, and internal revenue bonded warehouses pursuant to § 171.248, they may be stored in warehouse tanks, or in the containers in which they were transferred to the warehouse. Distilled spirits transferred to warehouses in packages, tank cars, tank trucks, or tank barges, or by pipeline, may be deposited in the same tanks. Distilled spirits of different proof, or which were produced from different kinds of materials, or by different distillers, or at different distilleries, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, or which are otherwise heterogeneous, may be deposited in the same tanks. When distilled spirits produced from different kinds of materials are mingled in tanks at an industrial alcohol bonded warehouse, they shall be redesignated in accordance with the provisions of § 171 222 and may be removed only (a) for transfer in bond as specified in this subpart or (b) if 160 degrees or more of proof for an authorized tax-free purpose, or upon taxpayment for nonbeverage purposes or for use in the maufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. For record purposes, distilled spirits (including spirits for redistillation) deposited in tanks under the provisions of this section shall be classified and accounted for as "Alcohol."

§ 171.255 *Redistillation.* Distilled spirits received at an industrial alcohol plant for redistillation may be redistilled separately or with other distilled spirits, including distilled spirits of different proof, or produced from different kinds of materials, or produced by different distillers, or at different distilleries: *Provided,* That where distilled spirits produced from grain, cane, fruit, and other materials are redistilled together, the redistilled spirits shall be designated in accordance with § 171.222 and may be removed only (a) for transfer in bond as specified in this subpart or (b) if 160 degrees or more of proof, for an authorized tax-free purpose, or upon tax payment, for nonbeverage purposes or for use in the manufacture of beverage products only where the source of materials from which distilled is not specified or required for labeling purposes. The redistillation of distilled spirits will be in accordance with this subpart and the applicable provisions of Regulations 3.

§ 171.256 *Records.* Distilled spirits redistilled at industrial alcohol plants, and distilled spirits transferred in bond to, or removed for an authorized purpose from, industrial alcohol plants and industrial alcohol bonded warehouses under this subpart, shall be reported and accounted for in accordance with this subpart and the applicable provisions of Regulations 3.

TRANSFERS IN BOND FROM INDUSTRIAL ALCOHOL PLANTS AND INDUSTRIAL ALCOHOL BONDED WAREHOUSE TO DISTILLERIES AND INTERNAL REVENUE BONDED WAREHOUSES

§ 171.258 *Amendment of notice.* The proprietor of a distillery or an internal revenue bonded warehouse, in order to withdraw distilled spirits from industrial alcohol plants and industrial alcohol bonded warehouses, shall give notice of his intention to procure such distilled spirits by filing with the district supervisor of his district an amended Form 27–A, 27½, or 27–D, as the case may be, in accordance with the applicable procedure prescribed by Regulations 4, 5, or 10.

§ 171.259 *Transfer procedure.* The transfer in bond of distilled spirits from an industrial alcohol plant or industrial alcohol bonded warehouse to a distillery pursuant to § 171.231, or to an internal revenue bonded warehouse pursuant to § 171.240, will be made pursuant to withdrawal permit, Form 1436 (properly modified) in accordance with the applicable procedure prescribed by Regulations 3, governing transfers in bond of alcohol between industrial alcohol bonded premises, except that an additional copy of Form 1440 will be prepared for the files of the storekeeper-gauger at the receiving distillery or internal revenue bonded warehouse. The remaining copies of Form 1440 will be disposed of in the manner prescribed by Regulations 3.

REMOVAL, FREE OF TAX, FOR DENATURATION

§ 171.260 *Authorized withdrawals.* Distilled spirits of 160 degrees or more of proof may be withdrawn, free of tax, for denaturation, from a distillery or an internal revenue bonded warehouse, and, when transferred to an industrial alcohol plant or industrial alcohol bonded warehouse, may be withdrawn therefrom for denaturation, subject to the provisions of part II of subchapter C and in accordance with the procedure prescribed by this subpart and in Regulations 3. Such distilled spirits may also be transferred from one denaturing plant to another in accordance with the provisions of Regulations 3. The withdrawal of distilled spirits from industrial alcohol plants and industrial alcohol bonded warehouses, for denaturation, will be in accordance with the procedure prescribed in this subpart and by Regulations 3.

§ 171.261 *Basic and withdrawal permits.* The proprietor of a denaturing plant, in order to withdraw distilled spirits of 160 degrees or more of proof, free of tax, for denaturation, from distilleries or internal revenue bonded warehouses, must file application on Form 1431, with the district supervisor of his district, for amendment of his basic permit, Form 1433, to authorize the procurement of such distilled spirits. Application for withdrawal permit shall be made on Form 1463, properly modified, for removal to the denaturing plant. The district supervisor in issuing withdrawal permit on Form 1463 will modify such form to specify "distilled spirits" and withdrawal from a registered distillery, fruit distillery, or an internal revenue bonded warehouse. Distilled spirits may be shipped from distilleries and internal revenue bonded warehouses to denaturing plants, only pursuant to, and upon receipt of, proper withdrawal permit on Form 1463 authorizing such shipment, in accordance with the procedure prescribed in Regulations 3.

§ 171.262 *Consent of surety, Form 1533, on denaturing plant bond.* The proprietor of a denaturing plant, in order to withdraw distilled spirits of 160 degrees or more of proof, free of tax, for denaturation, from distilleries or internal revenue bonded warehouses, shall file consent of surety, Form 1533, on his bond, Form 1432–A, extending the terms thereof to assume liability for payment of the tax on the distilled spirits from the time they leave the distillery or internal revenue bonded warehouse from which they are removed. When Form 1432–A is in less than the maximum penal sum and is insufficient to cover the tax on any distilled spirits to be withdrawn determined in accordance with the provisions of Regulations 3, concerning the determination of bond liability, a new or additional bond in a sufficient penal sum shall be filed by the proprietor. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to be liable for distilled spirits withdrawn free of tax by the principal from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to section 3183, I. R. C., and regulations, to the same extent as alcohol withdrawn, free of tax from industrial alcohol plants and bonded warehouses.

§ 171.263 *Withdrawal procedure.* The withdrawal of distilled spirits of 160 degrees or more of proof, free of tax, for denaturation, from distilleries and internal revenue bonded warehouses, shall

be made in accordance with the procedure prescribed by § 171.252 for the transfer of distilled spirits from such premises to industrial alcohol plants and industrial alcohol bonded warehouses, except that the distiller or warehouseman, as the case may be, will present to the storekeeper-gauger withdrawal permit, Form 1463, in lieu of withdrawal permit, Form 1436. The withdrawal of such spirits from industrial alcohol plants and industrial alcohol bonded warehouses, and other denaturing plants, for denaturation, will be in accordance with the procedure prescribed by Regulations 3.

§ 171.264 *Records.* Distilled spirits of 160 degrees or more of proof withdrawn free of tax for denaturation shall be reported and accounted for by storekeeper-gaugers and proprietors on their monthly reports prescribed by Regulations 3, 4, 5, or 10, as the case may be. For record purposes, distilled spirits received at a denaturing plant for denaturation shall be classified and accounted for as "alcohol." Upon denaturation such spirits will be designated as "completely denatured alcohol" or "specially denatured alcohol," as the case may be, and withdrawn as such from the denaturing plant.

REMOVALS, FREE OF TAX, FOR USE OF THE UNITED STATES

§ 171.265 *Authorized withdrawals.* Distilled spirits of 160 degrees or more of proof may be withdrawn, free of tax, for use of the United States, from any distillery or internal revenue bonded warehouse, and, when transferred to an industrial alcohol plant or industrial alcohol bonded warehouse, may be withdrawn therefrom for such purpose, subject to the provisions of part II of subchapter C and in accordance with the procedure prescribed by this subpart and in Regulations 3. Pursuant to permit, Form 1444, issued by the Commissioner authorizing withdrawals for use of the United States, such distilled spirits, including alcohol produced at industrial alcohol plants, may be so withdrawn, prior to denaturation, from denaturing plants when such withdrawals are deemed necessary to meet the requirements of the national defense. The withdrawal of distilled spirits from industrial alcohol plants and industrial alcohol bonded warehouses, and from denaturing plants (when authorized), for use of the United States will be in accordance with the procedure prescribed in this subpart and by Regulations 3.

§ 171.266 *Application and permit, Form 1444.* The head of the Governmental department or independent bureau or agency desiring to withdraw distilled spirits of 160 degrees or more of proof, free of tax, from distilleries and internal revenue bonded warehouses, shall file application, in quadruplicate, on Form 1444 (appropriately modified) directly with the Commissioner, in accordance with the applicable procedure prescribed by Regulations 3. Upon receipt of an application on Form 1444, the Commissioner will issue a permit on such form (appropriately modified), in accordance with the applicable procedure prescribed by Regulations 3. The original and one copy of Form 1444 shall be forwarded to the head of the department or independent bureau or agency making application for the permit, who in turn shall retain a copy and forward the original to the vendor named in the permit. One copy will be retained by the Commissioner for his files and the remaining copy will be forwarded to the district supervisor of the district in which the vendor named in the application is located.

§ 171.267 *Withdrawals of distilled spirits.* When withdrawals of distilled spirits of 160 degrees or more of proof are to be made, free of tax, for use of the United States, the proprietor of the premises from which the distilled spirits are to be withdrawn will present the permit, Form 1444, to the storekeeper-gauger and designate the spirits to be withdrawn.

(a) *From distilleries and warehouses.* Where distilled spirits are withdrawn from distilleries and internal revenue bonded warehouses, the storekeeper-gauger will gauge the spirits and prepare Form 1520, in quadruplicate. The proprietor will prepare Form 1453, in quintuplicate, and give all copies to the storekeeper-gauger. Upon release of the shipment, the storekeeper-gauger will retain one copy of Form 1453 and one copy of Form 1520, deliver one copy of each form to the proprietor, forward two copies of Form 1453 and one copy of Form 1520 to the consignee, and forward the remaining copy of each form to the consignor district supervisor.

(b) *From industrial alcohol plants and warehouses.* Where distilled spirits are withdrawn from industrial alcohol plants, industrial alcohol bonded warehouses, or denaturing plants (when authorized) the proprietor will prepare Form 1440 and Form 1453, each in triplicate. Upon release of the shipment, the storekeeper-gauger will deliver one copy of Form 1453 and Form 1440 to the proprietor, forward two copies of Form 1453 and one copy of Form 1440 to the consignee and forward the remaining copy of Form 1440 to the consignor supervisor.

Where shipment is by motor truck, the copies of Forms 1453 and 1520 or 1440 for the consignee will be sealed in an envelope addressed to the consignee and handed to the person in charge of the trucks for delivery. Where the distilled spirits are to be transported by public carrier, the consignor shall furnish to the storekeeper-gauger, for forwarding to the district supervisor with Forms 1453 and 1520 or 1440, a copy of the bill of lading, if any, covering transportation of the spirits from the point of shipment to destination.

§ 171.268 *Certificate of receipt.* Receipt of each shipment of distilled spirits withdrawn for use of the United States shall be promptly certified to on Form 1453, in duplicate, by the official representative of the United States or Governmental agency thereof to whom delivery of such shipment is made. Where inspection at destination discloses a loss in transit, such loss will be noted on each copy of Form 1453 by the receiving officer, who will state whether the condition of the conveyance when received indicates that the loss was due to theft or to other cause. One copy of the receipted Form 1453 shall be forwarded promptly to the district supervisor from whose district the withdrawal is made, and the remaining copy will be retained by the consignee.

REMOVALS, FREE OF TAX, FOR SCIENTIFIC PURPOSES, USE OF HOSPITALS, ETC.

§ 171.270 *Authorized withdrawals.* Distilled spirits of 160 degrees or more of proof may be withdrawn, free of tax, for scientific purposes, use of hospitals, states, etc., from a distillery or an internal revenue bonded warehouse, and, when transferred to an industrial alcohol plant or industrial alcohol bonded warehouse, may be withdrawn therefrom for such purposes, subject to the provisions of part II of subchapter C and in accordance with the procedure prescribed in Regulations 3. The withdrawal of distilled spirits from industrial alcohol plants and industrial alcohol bonded warehouses for scientific purposes, use of hospitals, states, etc., will be in accordance with the procedure prescribed in this subpart and by Regulations 3.

§ 171.271 *Basic and withdrawal permits.* Where it is desired to withdraw distilled spirits of 160 degrees or more of proof, free of tax, from distilleries or internal revenue bonded warehouses, as provided in § 171.270, application shall be made on Form 1447 properly modified, in triplicate, to the district supervisor for basic permit to use such distilled spirits. Action by the district supervisor in respect to such applications will be in accordance with the applicable provisions of Regulations 3. A permittee whose basic permit, Form 1447, authorizes the procurement of alcohol free of tax and who desires to procure distilled spirits of 160 degrees or more of proof from distilleries or internal revenue bonded warehouses shall file application on Form 1447 with the district supervisor for the amendment of his basic permit to authorize the procurement of such distilled spirits. Where a permittee holding a basic permit, Form 1447, to use distilled spirits free of tax desires to procure tax-free distilled spirits under such permit, application on Form 1450, properly modified, will be filed in accordance with the provisions of Regulations 3. The district supervisor in issuing withdrawal permit on Form 1450 will modify such form to specify "distilled spirits" and withdrawal from a registered distillery, fruit distillery, or an internal revenue bonded warehouse. Distilled spirits may be shipped from distilleries and internal revenue bonded warehouses to holders of basic permits, Form 1447, only pursuant to, and upon receipt of, proper withdrawal permit on Form 1450 authorizing such shipment in accordance with the procedure prescribed in Regulations 3.

§ 171.272 *Bonds.* A permittee who holds a permit, Form 1447, prescribed by § 171.271, to withdraw distilled spirits of 160 degrees or more of proof, free of tax, from distilleries or internal revenue

bonded warehouses must file with the district supervisor a bond on Form 1448, when required by, and in accordance with the applicable provisions of Regulations 3. Where a permittee holds a permit to withdraw alcohol free of tax from industrial alcohol plants or industrial alcohol bonded warehouses, which is supported by bond, Form 1448, and files application for amendment of the permit to authorize the withdrawal of tax-free distilled spirits as provided in § 171.271, the permittee must file consent of surety, Form 1533, on his bond, extending the terms thereof to cover such tax-free distilled spirits. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to be liable for distilled spirits withdrawn free of tax by the principal from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to section 3183, I. R. C., and regulations, to the same extent as alcohol withdrawn free of tax from industrial alcohol plants and bonded warehouses.

§ 171.273 *Withdrawal procedure.* The withdrawal of distilled spirits of 160 degrees or more of proof, free of tax, for scientific purposes, use of hospitals, states, etc., from distilleries and internal revenue bonded warehouses shall be made in accordance with the applicable procedure prescribed by Regulations 3, except that Form 1520 will be used in lieu of Form 1440. The Government officer will insert on Form 1520 the name and address of the consignee. The withdrawal of distilled spirits for such purposes from industrial alcohol plants and industrial alcohol bonded warehouses shall be in accordance with the procedure prescribed in this subpart and by Regulations 3.

REMOVALS FOR EXPORTATION WITHOUT PAYMENT OF TAX

§ 171.274 *Authorized withdrawals.* Distilled spirits of 160 degrees or more of proof may be withdrawn for exportation in approved containers, without payment of tax, from a distillery or an internal revenue bonded warehouse, and when transferred to an industrial alcohol plant or industrial alcohol bonded warehouse may be withdrawn therefrom for exportation without payment of tax, subject to the provisions of part II of subchapter C and in accordance with the procedure prescribed in this subpart and the applicable procedure prescribed by Regulations 3 and 10. The withdrawal of distilled spirits from industrial alcohol plants and industrial alcohol bonded warehouses, for exportation, will be in accordance with the procedure prescribed in this subpart and by Regulations 3.

GENERAL

§ 171.275 *Losses.* The provisions of section 2901 of the Internal Revenue Code and the applicable provisions of Regulations 4, 5, and 10 shall apply in respect to losses of any distilled spirits transferred or removed for transfer under this subpart to a distillery or internal revenue bonded warehouse or sustained therein prior to transfer or removal for transfer to an industrial alcohol plant or industrial alcohol bonded warehouse or removal for any tax-free purpose authorized by part II of subchapter C. The provisions of section 3113 of the code and the applicable provisions of Regulations 3 shall apply in respect to losses of any distilled spirits sustained subsequent to being transferred or removed for transfer under this subpart to an industrial alcohol plant or industrial alcohol bonded warehouse. The provisions of section 3113 of the code and the applicable provisions of Regulations 3 shall apply in respect to losses of any distilled spirits sustained subsequent to being removed from a distillery or an internal revenue bonded warehouse, industrial alcohol plant, industrial alcohol bonded warehouse, or denaturing plant for any tax-free purpose authorized by part II of subchapter C.

§ 171.276 *Mingling during course of removal; same premises.* Distilled spirits removed from distilleries, internal revenue bonded warehouses, industrial alcohol plants, industrial alcohol bonded warehouses, and denaturing plants, under section 3183 of the Internal Revenue Code and this subpart, for transfer in bond, or if 160 degrees or more of proof, for denaturation or for use of the United States, may be mingled in tank cars, tank trucks, tank barges, etc., during the course of removal from the shipping premises. When distilled spirits produced from different kinds of materials are so mingled, they shall be redesignated in accordance with the applicable provisions of §§ 171.221 and 171.222.

§ 171.277 *Mingling during course of removal; different premises.* In order that transportation facilities may be utilized economically, additional deposits of distilled spirits may be made in tank cars, tank trucks, tank barges, etc., after removal from the premises of the original consignor and during the course of transportation to the premises of the ultimate consignee. Where such an additional deposit is to be made, the Government officer assigned to supervise the deposit will examine the conveyance and determine whether the seals are intact, and whether there is any evidence of tampering. The Government officer will then remove only those seals necessary to check the contents as to dry inches and proof and to permit the deposit of additional spirits, after which he will determine the composite proof and the dry inches. The conveyance will then be sealed. When distilled spirits produced from different kinds of materials are so mingled, they shall be redesignated in accordance with the applicable provisions of §§ 171.221 and 171.222. A separate withdrawal form shall be prepared in respect of each such additional deposit as, for example, Forms 236 and 1520 or Form 1440 for transfers in bond. Except as provided herein, the withdrawal procedure shall be in accordance with the provisions of this subpart concerning an original withdrawal. The Government officer will note on the withdrawal forms covering the additional deposit the fact that such a withdrawal deposit was made together with information concerning any shortages in the original shipment. In addition to the label required by § 171.205 to be affixed to the conveyance at the time of the original withdrawal, another label shall be similarly affixed showing the information required by § 171.205 describing the additional deposit and, in addition thereto, the composite proof and gallonage and the dry inches remaining after the deposit is completed. When such composite shipments are to be made, the prescribed labels will be prepared in such form as to permit the attachment of additional labels to the route board. When it is desired to make additional deposits in a conveyance, the consignee proprietor desiring to follow such procedure will make application, in duplicate, to the district supervisor for permission so to do. The application shall specify the dates on which it is desired to follow such procedure and the necessity therefor together with sufficient information to enable the district supervisor to determine the necessity therefor, and if he approves the application to advise the Government officers concerned so that proper control and supervision can be exercised. Where it is desired to follow such procedure regularly, the application will be made, and the permission granted accordingly.

§ 171.278 *Establishment of denaturing plants.* Proprietors of registered distilleries, fruit distilleries, and internal revenue bonded warehouses, from which distilled spirits of 160 degrees or more of proof are withdrawn under section 3183, I. R. C., and this subpart, may establish denaturing plants in accordance with the applicable provisions of Regulations 3 for operation during the effective period of this subpart. Except when deemed necessary to meet the requirements of the national defense, the establishment of such denaturing plants will be restricted to those established in conjunction with premises from which distilled spirits are withdrawn for denaturation.

§ 171.279 *Additional requirements.* The Commissioner may require the proprietor or the Government officer to prepare such additional copies of forms prescribed by this subpart or by the pertinent provisions of Regulations 3, 4, 5, and 10, or such other records, as he may deem necessary to meet the requirements of the national defense.

§ 171.280 *Termination of regulations.* The regulations contained in this subpart and all operations authorized thereunder shall cease to be effective five years from the date of enactment of section 3183, I. R. C. The qualified status of industrial alcohol bonded warehouses and denaturing plants established by nonproducers of alcohol under part II of subchapter C and the applicable provisions of this subpart and Regulations 3 shall likewise cease and the permits issued therefor shall terminate on such date, except as to the removal of any alcohol stored therein at such time.

3. Subpart F of this part, consisting of §§ 171.150–171.158 (Treasury Decision 5814, effective November 8, 1950 (15 F. R. 7498)), is hereby revoked.

4. These regulations will be effective on the date of publication in the FEDERAL REGISTER.

[SEAL] FRED S. MARTIN,
Acting Commissioner of Internal Revenue.

Approved November 2, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury

F. R. Doc. 51-13444; Filed, Nov. 6, 1951; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter II—Economic Stabilization Agency

GO 11—RENT CONTROL IN CRITICAL DEFENSE HOUSING AREAS

AMENDMENT OF PRIOR ORDERS

EDITORIAL NOTE: For an amendment of General Order 11 to provide that the term "Executive Order 10161 of September 9, 1950," which term appears in Sec. 2 of that order, shall be deemed to include Executive Order 10161 of September 9, 1950, as amended, see F. R. Doc. 51-13443 under Economic Stabilization Agency, Office of the Administrator in the Notices Section, *infra.*

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 25, Revised, Amdt. 2]

CPR 25—REVISED CEILING PRICES OF BEEF ITEMS SOLD AT RETAIL

CHANGE IN PRICE OF BONELESS BRISKET

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to the Allocation of Meat (16 F. R. 1272) and Economic Stabilization Agency General Order 5 (16 F. R. 1273), this Amendment 2 to Ceiling Price Regulation 25, Revised, is hereby issued.

STATEMENT OF CONSIDERATIONS

The major change in this amendment is the deletion of the former brisket ceiling prices and the establishment of new ceiling prices for briskets, boneless, fresh or cured, deckle on and briskets, boneless, fresh or cured, deckle off, based upon yield factors which will permit retailers to realize as much on sale of boneless briskets, deckle on, and boneless briskets, deckle off, as they do on bone-in briskets.

The ceiling prices of these two items in CPR 25, Revised, are low and tend to discourage retailers from boning briskets. Consumers are, therefore, deprived of a popular cut of meat normally sold in the form of corned beef briskets.

This change is also required to bring the retail ceiling prices for brisket into proper relationship with the level of wholesale prices. Minor changes have also been made in the ceiling prices of brisket (bone-in) to more accurately reflect proper zone differentials.

While the new ceiling prices for boneless briskets are higher than current ceilings, they are lower than the ceilings in effect prior to the issuance of CPR 25, Revised, by about 17 cents for boneless brisket, deckle on, and about four cents for boneless brisket, deckle off.

In formulating this amendment, the Director of Price Stabilization has consulted with industry representatives and has given full consideration to their recommendations. In his judgment the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 25, Revised, is amended in the following respects:

1. Section 40 is amended by deleting from all price schedules in that section for all store groups, all zones and all grades, the prices listed under the heading "III. Stews and other cuts" for the items labeled "4. Brisket (bone-in, fresh or cured)"; "5. Brisket (boneless, fresh or cured, deckle on)"; and "6. Brisket (boneless, fresh or cured, deckle off)" and substituting therefor where appropriate and as indicated, the prices listed below for all store groups, zones and grades:

(a) *Groups 1 and 2 stores*—(1) *Zones 1, 17, 20, 23, and 25.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.63	$0.63	$0.63	$0.54	$0.54
5. Brisket (boneless, fresh or cured, deckle on)	.83	.83	.83	.68	.68
6. Brisket (boneless, fresh or cured, deckle off)	.99	.99	.99	.77	.77

(2) *Zones 2, 3, 19, 22, and 24.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.60	$0.60	$0.60	$0.51	$0.51
5. Brisket (boneless, fresh or cured, deckle on)	.79	.79	.79	.64	.64
6. Brisket (boneless, fresh or cured, deckle off)	.95	.95	.95	.73	.73

(3) *Zones 6, 11, 13, 14, and 16.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.60	$0.60	$0.60	$0.51	$0.51
5. Brisket (boneless, fresh or cured, deckle on)	.79	.79	.79	.64	.64
6. Brisket (boneless, fresh or cured, deckle off)	.95	.95	.95	.74	.74

(4) *Zones 4, 5, 7, 8, and 10.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.58	$0.58	$0.58	$0.47	$0.47
5. Brisket (boneless, fresh or cured, deckle on)	.77	.77	.77	.59	.59
6. Brisket (boneless, fresh or cured, deckle off)	.92	.92	.92	.68	.68

(5) *Zones 15, 18, and 21.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.59	$0.59	$0.59	$0.50	$0.50
5. Brisket (boneless, fresh or cured, deckle on)	.78	.78	.78	.63	.63
6. Brisket (boneless, fresh or cured, deckle off)	.94	.94	.94	.72	.72

(6) *Zones 9 and 12.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.57	$0.57	$0.57	$0.48	$0.48
5. Brisket (boneless, fresh or cured, deckle on)	.75	.75	.75	.60	.60
6. Brisket (boneless, fresh or cured, deckle off)	.90	.90	.90	.69	.69

(b) *Groups 3 and 4 stores*—(1) *Zones 1, 17, 20, 23, and 25.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.59	$0.59	$0.59	$0.50	$0.50
5. Brisket (boneless, fresh or cured, deckle on)	.79	.79	.79	.64	.64
6. Brisket (boneless, fresh or cured, deckle off)	.95	.95	.95	.73	.73

(2) *Zones 2, 3, 19, 22, and 24.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.57	$0.57	$0.57	$0.48	$0.48
5. Brisket (boneless, fresh or cured, deckle on)	.76	.76	.76	.61	.61
6. Brisket (boneless, fresh or cured, deckle off)	.92	.92	.92	.70	.70

(3) *Zones 6, 11, 13, 14, and 16.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.56	$0.56	$0.56	$0.47	$0.47
5. Brisket (boneless, fresh or cured, deckle on)	.75	.75	.75	.60	.60
6. Brisket (boneless, fresh or cured, deckle off)	.91	.91	.91	.70	.70

(4) *Zones 4, 5, 7, 8, and 10.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.56	$0.56	$0.56	$0.45	$0.45
5. Brisket (boneless, fresh or cured, deckle on)	.75	.75	.75	.57	.57
6. Brisket (boneless, fresh or cured, deckle off)	.90	.90	.90	.66	.66

(5) *Zones 15, 18, and 21.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.57	$0.57	$0.57	$0.48	$0.48
5. Brisket (boneless, fresh or cured, deckle on)	.76	.76	.76	.61	.61
6. Brisket (boneless, fresh or cured, deckle off)	.92	.92	.92	.70	.70

(6) *Zones 9 and 12.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.55	$0.55	$0.55	$0.46	$0.46
5. Brisket (boneless, fresh or cured, deckle on)	.73	.73	.73	.58	.58
6. Brisket (boneless, fresh or cured, deckle off)	.88	.88	.88	.67	.67

(c) *Groups 3B and 4B stores*—(1) *Zones 1, 17, 20, 23, and 25.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.57	$0.57	$0.57	$0.48	$0.48
5. Brisket (boneless, fresh or cured, deckle on)	.77	.77	.77	.62	.62
6. Brisket (boneless, fresh or cured, deckle off)	.93	.93	.93	.71	.71

(2) *Zones 2, 3, 19, 22, and 24.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.55	$0.55	$0.55	$0.46	$0.46
5. Brisket (boneless, fresh or cured, deckle on)	.74	.74	.74	.59	.59
6. Brisket (boneless, fresh or cured, deckle off)	.90	.90	.90	.68	.68

(3) *Zones 6, 11, 13, 14, and 16.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.54	$0.54	$0.54	$0.45	$0.45
5. Brisket (boneless, fresh or cured, deckle on)	.73	.73	.73	.58	.58
6. Brisket (boneless, fresh or cured, deckle off)	.89	.89	.89	.68	.68

(4) *Zones 4, 5, 7, 8, and 10.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.54	$0.54	$0.54	$0.43	$0.43
5. Brisket (boneless, fresh or cured, deckle on)	.73	.73	.73	.55	.55
6. Brisket (boneless, fresh or cured, deckle off)	.88	.88	.88	.64	.64

(5) *Zones 15, 18, and 21.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.55	$0.55	$0.55	$0.46	$0.46
5. Brisket (boneless, fresh or cured, deckle on)	.74	.74	.74	.59	.59
6. Brisket (boneless, fresh or cured, deckle off)	.90	.90	.90	.68	.68

(6) *Zones 9 and 12.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.53	$0.53	$0.53	$0.44	$0.44
5. Brisket (boneless, fresh or cured, deckle on)	.71	.71	.71	.56	.56
6. Brisket (boneless, fresh or cured, deckle off)	.86	.86	.86	.65	.65

2. Section 42 is amended by deleting from all price schedules in that section, for all zones and all grades, the prices listed under the heading "III. Stews and other cuts" for the items labeled "4. Brisket (bone-in, fresh or cured)"; "5. Brisket (boneless, fresh or cured, deckle on)"; and "6. Brisket (boneless, fresh or cured, deckle off)", and substituting therefor, where appropriate and as indicated, the prices listed below for all zones and grades:

(a) *Zones 1, 17, 20, 23, and 25.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.55	$0.55	$0.55	$0.46	$0.46
5. Brisket (boneless, fresh or cured, deckle on)	.75	.75	.75	.60	.60
6. Brisket (boneless, fresh or cured, deckle off)	.91	.91	.91	.69	.69

(b) *Zones 2, 13, 19, 22, and 24.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.53	$0.53	$0.53	$0.44	$0.44
5. Brisket (boneless, fresh or cured, deckle on)	.72	.72	.72	.57	.57
6. Brisket (boneless, fresh or cured, deckle off)	.88	.88	.88	.66	.66

(c) *Zones 6, 11, 13, 14, and 16.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.52	$0.52	$0.52	$0.43	$0.43
5. Brisket (boneless, fresh or cured, deckle on)	.71	.71	.71	.56	.56
6. Brisket (boneless, fresh or cured, deckle off)	.87	.87	.87	.66	.66

(d) *Zones 4, 5, 7, 8, and 10.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.52	$0.52	$0.52	$0.41	$0.41
5. Brisket (boneless, fresh or cured, deckle on)	.71	.71	.71	.53	.53
6. Brisket (boneless, fresh or cured, deckle off)	.86	.86	.86	.62	.62

(e) *Zones 15, 18, and 21.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.53	$0.53	$0.53	$0.44	$0.44
5. Brisket (boneless, fresh or cured, deckle on)	.72	.72	.72	.57	.57
6. Brisket (boneless, fresh or cured, deckle off)	.88	.88	.88	.66	.66

(f) *Zones 9 and 12.*

	Prime	Choice	Good	Commercial	Utility
4. Brisket (bone-in, fresh or cured)	$0.51	$0.51	$0.51	$0.42	$0.42
5. Brisket (boneless, fresh or cured, deckle on)	.69	.69	.69	.54	.54
6. Brisket (boneless, fresh or cured, deckle off)	.84	.84	.84	.63	.63

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall be effective on November 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 6, 1951.

[F. R. Doc. 51-13519; Filed, Nov. 6, 1951; 12:06 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 78]

GCPR, SR 78—COAL BRIQUETS, PETROLEUM COKE BRIQUETS AND PACKAGED FUEL PRODUCED AT PLANTS WHICH ARE ADJUNCTS OF OR ADJACENT TO LAKE COAL DOCKS

Pursuant to the Defense Production Act of 1950, as amended (Public Law 774, 81st Congress, Public Law 96, 82d Congress), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 78 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

In that area served with solid fuels from the lake docks on the United States bank of Lake Superior and on that part of the West bank of Lake Michigan north of and including Waukegan, Illinois, there are six plants making briquets and one plant manufacturing packaged fuel. These plants are either adjuncts of or adjacent to the lake docks and the coal used in the manufacture of briquets and packaged fuel is obtained from two sources: a considerable portion is received directly from the mines and the remaining portion consists of degraded coal screened out from other sizes on the dock. In addition to cost increases on coal, the manufacturers have experienced increases in the costs of binder, paper, freight rates, labor rates and other incidental supplies and materials. These briquets and packaged fuel plants have been regulated by the General Ceiling Price Regulation, although their operations are closely tied in with, and in numerous instances, are an integral part of the lake dock industry, which is subject to CPR 27—Lake Coal Dock Operators.

The inability of the briquet and packaged fuel plants to increase their ceiling prices has resulted in greater losses than ever before sustained and seriously threatens their continued operation unless they are granted relief to take care of at least a part of their increased costs.

The operations of these briquet plants are identical with the operations of the briquet plants which are located in or near the coal fields, and these latter plants are both under tailored regulations. Those producing bituminous briquets are under Supplementary Regulation 1 of CPR 3, and those producing anthracite briquets are under Supplementary Regulation 1 of CPR 4. Under each of these supplementary regulations, which became effective in March, 1951, the briquet manufacturers were permitted to increase their ceiling prices in order to recover raw material costs and costs resulting from advances in wages, salaries and other payroll items.

The Agency has conducted a survey of the briquet and packaged fuel industries. The highly seasonal nature of the operations of these plants makes it practically impossible to make a final determination of the upward adjustment which producers may require. Nothing less than a full year's operations could produce the fiscal information required. The increases in ceiling prices which this supplementary regulation permits, are based only upon cost increases which are clearly identifiable from available data. The increases granted are interim amounts and further adjustment may be required at a later date. In view of the need of these producers for immediate relief, the Agency feels that it would be unwise to attempt to tailor a permanent regulation for the briquet and packaged fuel industry in the dock territory at this time.

This supplementary regulation will permit the briquet manufacturers at the lake docks to increase their ceiling prices by $0.40 per net ton and will allow them to recover a portion of the increased costs they have been required to absorb.

One plant, in addition to making bituminous briquets, also makes a briquet using petroleum coke in place of coal,

and another plant makes packaged fuel. Under this supplementary regulation separate increases in ceiling prices are permitted, amounting to $0.75 per net ton in the case of petroleum coke briquets, and $0.50 per net ton in the case of packaged fuel.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of Supplementary Regulation No. 78 to the General Ceiling Price Regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this supplementary regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Applicability.
3. Authority to increase ceiling prices.
4. Prohibitions.
5. Miscellaneous.
6. Definitions.

AUTHORITY: Sections 1 to 6 issued under section 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, Executive Order 10161, September 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation authorizes certain increases in the ceiling prices established by the General Ceiling Price Regulation for coal briquets, petroleum coke briquets, or packaged fuel.

SEC. 2. *Applicability.* This supplementary regulation is applicable to sales by producers, distributors, and sales agents of coal briquets, petroleum coke briquets, and packaged fuel, produced at plants located at or in the vicinity of docks on the United States bank of Lake Superior and on the west bank of Lake Michigan north of and including Waukegan, Illinois. It does not apply to retail dealers.

SEC. 3. *Authority to increase ceiling prices.* The ceiling prices determined under the General Ceiling Price Regulation for each size, grade, or kind of coal briquet, petroleum coke briquet, or packaged fuel produced at plants covered by this regulation may be increased by the following amounts:

	Per net ton
Coal briquets	$0.40
Petroleum coke briquets	.75
Packaged fuel	.50

SEC. 4. *Prohibitions.* On and after the 6th day of November 1951, regardless of any contract, agreement, lease or other obligation:

(a) No person subject to this supplementary regulation shall sell, dispose, deliver or ship briquets or packaged fuel at prices higher than the ceiling prices determined in accordance with the provisions of this supplementary regulation. However, he may sell at prices lower than such ceiling prices.

(b) No person shall, in the course of trade or business, buy or receive such briquets or packaged fuel so delivered or shipped at higher prices than the ceiling prices determined in accordance with the provisions of this supplementary regulation.

(c) No person shall agree, offer, solicit or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

SEC. 5. *Miscellaneous.* (a) Persons subject to this supplementary regulation shall be also subject to all the provisions of the General Ceiling Price Regulation, as amended, (including the reporting and record-keeping requirements thereof) which are not inconsistent with the provisions of this supplementary regulation.

(b) Each person subject to this supplementary regulation shall furnish each retail dealer to whom he sells briquets or packaged fuel a statement showing the exact dollar-and-cents amount the producer has added to the price of his briquets or packaged fuel as authorized under this supplementary regulation.

SEC. 6. *Definitions.* (a) "Producer" means a person engaged in the business of manufacturing coal briquets, petroleum coke briquets, or packaged fuel in a plant which is an adjunct of or adjacent to coal docks located on the United States Bank of Lake Superior and the West bank of Lake Michigan north of and including Waukegan, Illinois, and any person acting as an agent of such producer.

(b) "Distributor" means a person who purchases coal briquets, petroleum coke briquets, or packaged fuel from a producer for resale, and resells it in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such products, and any person acting as an agent of such distributor in the sale of such products.

(c) "Sales agent" means a person who, as agent of a producer, sells coal briquets, petroleum coke briquets, or packaged fuel for or on behalf of the producer.

(d) "Briquets" means coal or petroleum coke of fine size, mixed with a binder and processed through high pressure dies into various small shapes, usually pillow or barrel shaped, weighing approximately two ounces each. Within the meaning of this definition "packaged fuel" is not the same product as "briquets."

(e) "Packaged fuel" means coal or petroleum coke of fine size, mixed with a binder and compressed by mechanical means into cubical or oblong shape, which is then wrapped in paper and sealed with gummed tape or glue, each package weighing approximately 10 to 15 lbs. Briquets or loose solid fuel, sold in bags, packages or cartons, is not "packaged fuel" within the meaning of this definition.

Effective date. This Supplementary Regulation 78 to the General Ceiling Price Regulation shall become effective on the 6th day of November 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 6, 1951.

[F. R. Doc. 51-13520; Filed, Nov. 6, 1951; 12:06 p. m.]

[General Overriding Regulation 9, Amdt. 9]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SALES TO FOREIGN GOVERNMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends from price control sales to foreign governments of certain military items which are already exempt from price control when sold to the United States. The imposition of ceiling prices on these commodities is not practical or advisable because of frequent changes of specifications or production plans or because of variations in the conditions under which contractors and subcontractors operate.

In the preparation of this amendment, consultations have been held with the Department of State and the Department of Defense.

The wide coverage of this amendment made it impossible to consult in detail with representatives of all the industries affected. However, many individual views expressed informally to this Office requested action in the nature of this amendment.

Opportunity will be afforded through the Department of State, for consideration by the Director of Price Stabilization of any representations regarding prices charged to foreign governments for commodities covered by this amendment. If necessary, the Office of Price Stabilization will review operations under this amendment periodically.

AMENDATORY PROVISIONS

The first paragraph of section 2 (a) (5) of General Overriding Regulation 9 is amended to read as follows:

(5) Sales of the commodities listed in subdivisions (i), (ii) and (iii) of this subparagraph, if the commodity is sold to a defense agency, to a foreign government, or to any person for use in connection with a defense contract or subcontract or a contract or subcontract with a foreign government, and if the

commodity so sold is designed to meet military needs exclusively. The term "defense agency" means the Department of Defense (including the Department of the Army, the Department of the Navy, and the Department of the Air Force), the Maritime Administration of the Department of Commerce, the United States Coast Guard, the Office of Rubber Reserve, and the Atomic Energy Commission. The term "foreign government" means the government of any nation or state, other than the United States of America, or any duly authorized agency thereof. The term "defense contract" means any purchase order, or agreement with a defense agency. The term "subcontract" means any purchase order, or agreement to perform all or any part of the work required in the performance of a defense contract. The term "contract with a foreign government" means any purchase order, or agreement with a foreign government. The term "subcontract with a foreign government" means any purchase order, or agreement to perform all or any part of the work required in the performance of a contract with a foreign government.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective November 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 6, 1951.

[F. R. Doc. 51-13521; Filed, Nov. 6, 1951; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-23 as amended Nov. 6, 1951]

M-23—CARDED COTTON SALES YARN

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-23, as last amended March 31, 1951, is hereby further amended as follows: Section 7 is deleted, thereby eliminating the restrictions on spinning spindles. The ensuing sections 8 through 12 are redesignated as sections 7 through 11, respectively. As so amended, NPA Order M-23 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Forms of carded cotton sales yarn to which this order applies.
4. Required delivery dates.
5. Rejection of rated orders.
6. Limitation for acceptance of rated orders.
7. NPA assistance in placing rated orders.
8. Applications for adjustment or exception.
9. Communications.
10. Records, audit, inspection, and reports.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* This order applies particularly to producers of carded cotton sales yarn, and provides rules for placing, accepting, and scheduling rated orders therefor. Its purpose is to provide equitable distribution of rated orders among all carded cotton sales yarn producers of the particular types mentioned in section 3 of this order in order to make possible maximum production of such yarn and to reduce to a minimum disruption of its normal distribution. It supplements NPA Reg. 2, but only those provisions of Reg. 2 which are inconsistent with this order are superseded, and all other provisions of Reg. 2 continue to apply to the carded cotton sales yarn industry.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes agencies of the United States Government or of any other government.

(b) "Producer" means any person engaged in the business of spinning carded cotton yarn produced for sale as such.

(c) "NPA" means the National Production Authority in the Department of Commerce.

SEC. 3. *Forms of carded cotton sales yarn to which this order applies.* This order applies to carded cotton yarn produced for sale as such, regardless of count or ply or put-up and whether undyed, dyed, tinted, or otherwise treated, including all second quality yarns, and waste or waste-content yarns.

SEC. 4. *Required delivery dates.* A rated order for carded cotton sales yarn must specify delivery on a particular date or in a particular month, which in no case may be earlier than required by the person placing the order. The producer of carded cotton sales yarn must schedule the order for delivery within the requested month as close to the requested delivery date as is practicable considering the need for maximum production.

SEC. 5. *Rejection of rated orders.* Unless specifically directed otherwise by NPA, a producer of carded cotton sales yarn need not accept a rated order that is (a) received less than 15 days prior to the first day of the month in which shipment is requested, or (b) for a yarn of a specification or put-up not normally made by such producer and of a type that would cause lack of balance in mill production.

SEC. 6. *Limitation for acceptance of rated orders.* Unless otherwise specifically directed by NPA no producer shall be required to accept rated orders for the types of carded cotton sales yarn listed in this section for shipment in any month in excess of the following respective percentages by weight of his average monthly shipment of such types made by him during the period from July 1, 1950, through December 31, 1950:

Types of yarn:	*Percentage by weight*
Group 1—Coarser yarns than sixes in the single, and in any ply	20
Group 2—Yarns from sixes to twenty-twos inclusive in the single, and in any ply	30
Group 3—Finer yarns than twenty-twos in the single, and in any ply	20

SEC. 7. *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for carded cotton sales yarn due to the limitations imposed by section 6 of this order should apply to NPA, Ref: M-23, specifying the producers who refused to accept the order. NPA will arrange to assist him in locating other sources of supply.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue and exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interests of national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-23.

SEC. 10. *Records, audit, inspection, and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or who may maintain such microfilm or photographic copies in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or of using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect November 6, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51-13504; Filed, Nov. 6, 1951; 9:51 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Appendix 1]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, issued at 16 F. R. 7611 (August 3, 1951) and last amended at 16 F. R. 10947 (October 27, 1951) is hereby amended to read as follows:

APPENDIX 1 TO CR 3—CRITICAL DEFENSE HOUSING AREAS [1]

Critical defense housing area, State, and date designated

1. San Diego, Calif., May 2, 1951.
2. Corona, Calif., May 8, 1951.
3. Colorado Springs, Colo., May 8, 1951.
4. Star Lake, N. Y., May 23, 1951.
5. Fort Leonard Wood Area, Mo., May 23, 1951.
6. Camp Cooke Area, Calif., June 8, 1951.
7. Bremerton, Wash., June 8, 1951.
8. San Marcos, Tex., June 8, 1951.
9. Valdosta, Ga., June 20, 1951.
10. Tullahoma, Tenn., June 20, 1951.
11. Camp Pendleton Area, Calif., June 20, 1951.
12. Solano County, Calif., June 29, 1951.
13. Quad Cities Area,[2] Iowa-Ill., June 29, 1951.
14. Hanford AEC Operations Area, Wash., July 3, 1951.
15. Barstow, Calif., July 3, 1951.
16. Camp Roberts Area, Calif., July 3, 1951.
17. Brazoria County, Tex., July 3, 1951.
18. Tooele, Utah, July 3, 1951.
19. Dana, Ind., July 13, 1951.
20. El Centro-Imperial Area, Calif., July 13, 1951.
21. Borger, Tex., July 13, 1951.
22. Huntsville, Ala., July 13, 1951.
23. Mineral Wells, Tex., July 17, 1951.
24. Las Cruces, N. Mex., July 17, 1951.
25. Alamogordo, N. Mex., July 17, 1951.
26. Wichita, Kans., July 25, 1951.
27. Columbus, Ind., July 25, 1951.
28. Lone Star, Tex., August 3, 1951.
29. Camp LeJeune-Jacksonville Area, N. C., August 3, 1951.
30. Killean-Fort Hood Area, Tex., August 3, 1951.
31. Dover, Del., August 3, 1951.
32. Patuxent, Md., August 3, 1951.
33. Othello, Wash., August 11, 1951.
34. Sampson Air Force Base Area, N. Y., August 11, 1951.
35. Norfolk-Portsmouth Area, Va., August 11, 1951.
36. Wright-Patterson Air Force Base Area, Ohio, August 11, 1951.
37. Lancaster - Palmdale - Mojave Area, Calif., August 11, 1951.
38. Bucks County, Pa., October 3, 1951.
39. Indianapolis, Ind., October 3, 1951.
40. Sanford, Fla., October 3, 1951.
41. Sidney, Nebr., October 3, 1951.
42. Kingsville, Tex., October 3, 1951.
43. Wichita Falls, Tex., October 3, 1951.
44. Presque Isle-Limestone, Maine, October 3, 1951.
45. Newport News, Va., October 3, 1951.
46. Hartford, Conn., October 23, 1951.
47. Camp Pickett, Va., October 23, 1951.
48. Camp Polk, La., October 23, 1951.
49. Camp Breckenridge, Ky., October 23, 1951.
50. Fort Dix, N. J., October 23, 1951.
51. Camp Rucker, Ala., October 23, 1951.
52. Topeka, Kans., October 23, 1951.
53. Benton, Ark., October 23, 1951.
54. Cocoa-Melbourne Area, Fla., October 23, 1951.
55. Babbitt, Minn., October 23, 1951.
56. Lorain, Ohio, October 23, 1951.
57. Rapid City-Sturgis Area (this area includes Township 1 north and Township 2 north in ranges 7 east to 9 east, both inclusive, and Township 1 south in ranges 7 and 8 east, including Rapid City in Pennington County; and that part of Meade County lying west of the Black Hills Guide Meridian), S. Dak., October 29, 1951.
58. Aberdeen Area (this area consists of Harford County, Md.), Md., October 29, 1951.
59. Bainbridge-Elkton Area (this area consists of Cecil County, Md.), Md., October 29, 1951.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-13409; Filed, Nov. 6, 1951; 8:51 a. m.]

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline, and Rock Island, Illinois.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter L—Security of Waterfront Facilities

[CGFR 51-52]

PART 126—HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES

ADEQUACY OF GUARDING, FIRE EXTINGUISHING EQUIPMENT, AND LIGHTING

The purpose for the new regulation designated as 33 CFR 126.15 (n) is to define the word "adequate" as used in 33 CFR 126.15 (a), (j), and (l) with respect to guarding, fire extinguishing equipment and lighting, respectively, on a designated waterfront facility, It is hereby found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is not required because this regulation is an interpretation of existing regulations.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order 10173 (15 F. R. 7005), as amended by Executive Order 10277 (16 F. R. 7537), the following regulation is prescribed which shall become effective on and after date of publication of this document in the FEDERAL REGISTER:

Section 126.15 is amended by adding a new paragraph (n), reading as follows:

§ 126.15 *Conditions for designation as designated waterfront facility.* * * *

(n) *Adequacy of guarding, fire extinguishing equipment, and lighting.* That the word "adequate", as used in paragraphs (a), (j), and (l) of this section with respect to guarding, fire extinguishing equipment, and lighting, respectively, means that determination which a reasonable person would make under the circumstances of the particular case. Unless there is gross noncompliance, the judgment and determination of the operator of the facility will be acceptable as fulfilling the requirements unless and until the Captain of the Port inspects the facility and notifies the operator thereof in writing in what respect the guarding, fire extinguishing equipment, or lighting, is deemed inadequate and affords such operator an opportunity to correct the deficiency.

(E. O. 10173, Oct. 18, 1950, 15 F. R. 7005; 3 CFR, 1950 Supp., E. O. 10277, Aug. 1, 1951, 16 F. R. 7537. Interprets or applies R. S. 4417a, as amended, 4472, as amended, sec. 1, 40 Stat. 220, as amended; 46 U. S. C. 391a, 170, 50 U. S. C. 191)

Dated: November 1, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51-13419; Filed, Nov. 6, 1951; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

EXTENSION OF VOCATIONAL REHABILITATION TO VETERANS HAVING SERVICE ON AND AFTER JUNE 27, 1950

Section 21.190, appearing in the FEDERAL REGISTER of January 19, 1951 (16 F. R. 501) is canceled, and a new § 21.190 is added as follows:

§ 21.190 *Extension of vocational rehabilitation under Public Law 16, 78th Congress, as amended, to veterans having service on and after June 27, 1950.*

All standing regulations and instructions applicable to Public Law 16, 78th Congress, as amended, are governing in the administration of Public Law 894, 81st Congress, as amended, except as provided specifically in this section.

(a) *Conditions for vocational rehabilitation training.* A person may be found eligible under Public Law 894, 81st Congress, as amended, for vocational rehabilitation training under Public Law 16, 78th Congress, as amended, provided he meets the following conditions:

(1) That he shall have performed active military, naval, or air service in the Armed Forces of the United States on or after June 27, 1950, and prior to the date which shall hereafter be determined by Presidential proclamation or concurrent resolution of the Congress, and

(2) That he shall have incurred a disability which is determined by duly constituted claims authority to have been incurred in or aggravated by such service, and for which compensation is payable under the provisions of Part I, Veterans Regulation 1 (a), as amended, (38 U. S. C. ch. 12) (or would be but for the receipt of retirement pay or because such person is hospitalized pending final discharge from the service), and

(3) That he shall have been discharged or released from active service under conditions other than dishonorable and under conditions other than those specified in section 300, Public Law 346, 78th Congress, as amended. The requirement for actual discharge does not apply to those persons who are applicants for the benefits of Public Law 894, 81st Congress, as amended, while hospitalized pending final discharge or release from active military, naval or air service, or who are on terminal leave (section 1507, Public Law 346, 78th Congress, added by section 10, Public Law 268, 79th Congress), and

(4) That he shall be found in need of vocational rehabilitation training to overcome the handicap due to the disability determined to have been incurred in or aggravated by such service.

(b) *Limitations.* (1) Vocational rehabilitation training under Public Law 894, 81st Congress, as amended, may not be afforded beyond 9 years following such date as shall hereafter be determined by presidential proclamation or concurrent resolution of the Congress.

(2) A person who was not a citizen of the United States at the time of active service on or after June 27, 1950, shall be afforded vocational rehabilitation training under Public Law 894, as amended, only in a State, Territory, or possession of the United States, or in the District of Columbia. A person who was a citizen of the United States at the time of active service on or after June 27, 1950, shall be afforded vocational rehabilitation training under Public Law 894, as amended, only in a State, Territory, or possession of the United States or in the District of Columbia, provided that vocational rehabilitation training under Public Law 16 in an approved educational institution in a foreign country may be afforded, subject to central office approval, if adequate training for the employment objective is not available in the United States and if the training can be pursued under the direct supervision of the Veterans' Administration, and provided further, that training in the Republic of the Philippines may be afforded to a United States citizen who is residing therein and is otherwise eligible for training. Determination respecting the applicant's citizenship during his period of active service will not be required except where it is proposed to conduct the course of vocational rehabilitation training at any place not within either a State, Territory, or possession of the United States or the District of Columbia.

(c) *Training pursued under Public Law 16 or Public Law 346 prior to eligibility under Public Law 894, 81st Congress, as amended.* Notwithstanding the fact that vocational rehabilitation training may have been afforded under Public Law 16 or that education or training may have been afforded under Public Law 346 prior to the date as of which basic eligibility arises under Public Law 894, 81st Congress, as amended, the veteran who has basic entitlement under Public Law 894, 81st Congress, as amended, will, upon claim therefor, be provided vocational rehabilitation training to the extent necessary to restore employability lost by reason of the handicap due to such disability incurred in or aggravated by active service on or after June 27, 1950: *Provided:*

(1) In determining whether the veteran has need for vocational rehabilitation and in selecting an employment objective and prescribing the course therefor, the records of the veteran's previous advisement and training if any under Public Law 16 or 346 and the current medical data will be carefully and fully considered to the end that the previous training will be capitalized to the fullest extent found practicable and will not be duplicated unless essential to accomplish employability, and

(2) If the veteran interrupted training under Public Law 16 to reenter the Armed Forces, the veteran's previous advisement and training records and the medical records showing the veteran's current disability status (including his World War II disability status) will be considered in advisement and guidance procedures for the purpose of determining whether the employment objective for which the veteran was pursuing training at the time of interruption still is suitable to accomplish vocational rehabilitation and unless it is determined that the objective is no longer suitable entrance into training will be effected without change of employment objective. In such a case the previous training will be capitalized to the fullest extent found practicable and will not be duplicated unless essential to accomplish employability. If the additional training requires a period in excess of 4 years under Public Law 894, as amended, to accomplish vocational rehabilitation in the employment objective previously selected the provisions of § 21.206 are applicable.

(d) *Election of benefits; combination of courses.* (1) A presumption of basic eligibility under Public Law 894, 81st Congress, as amended, will be established when a Veterans' Administration claims activity has determined that compensation is or would be payable under the provisions of Part I, Veterans Regulation 1 (a), as amended, and the veteran has been notified to the effect. The presumption may be rebutted upon the filing of a VA Form 7-1900, Disabled Veteran's Application for Vocational Rehabilitation, and a determination that the veteran is not in need of training (see § 21.54).

(2) A veteran who has basic eligibility under Public Law 894, 81st Congress, as amended, and who, after notice of basic eligibility thereunder enters, continues, or resumes training under Part VIII, Veterans Regulation 1 (a), as amended, will be held to have exercised the election to pursue training under Part VIII.

(3) Veterans' Administration action on requests for combination of courses where training under Public Law 894, 81st Congress, as amended, is proposed to be followed by training under Public Law 346 will be governed by exactly the same conditions and limitations as are contained in present instructions having to do with training under Part VIII following training under Part VII.

(4) Veterans' Administration action on requests for vocational rehabilitation training under Public Law 894, 81st Congress, as amended, where such training is subsequent to training under Public Law 346 will be according to the following:

(i) If the training under Public Law 346 was pursued at any time prior to the veteran's release from active service performed on or after June 27, 1950, the requested training under Public Law 894, 81st Congress, as amended, will be approved, subject only to the conditions specified in paragraph (c) of this section, that is, after employing the considerations set out in paragraph (c) of this section, the veteran in such a case may be provided vocational rehabilitation training for a period of time not to exceed 4 years as may be required to accomplish vocational rehabilitation, notwithstanding the period of time spent in training under Public Law 346 and without reference to § 21.206.

(ii) If the training under Public Law 346 was pursued or is being pursued after release from such active service but prior to the date of first notice of the existence of basic eligibility, the combination of courses will be approved, subject only to the conditions specified in paragraph (c) of this section, but if such combination of courses will require a total training time under both Public Law 346 and Public Law 894, 81st Congress, as amended, in excess of 4 years, the case will be processed under the provisions of § 21.206.

(iii) If training under Public Law 346 is pursued after the date of notice of the existence of basic eligibility under Public Law 894, as amended, approval of such combination of courses will be governed by all the conditions and limitations of present instructions having to do with training under Part VII following training under Part VIII. (Instructions 2, Pub. Law 894, 81st Cong., as amended by Pub. Law 170, 82d Cong.)

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500–1504, 1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. 693g, 697–697d, 697f, g, ch. 12 note)

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-13398; Filed, Nov. 6, 1951; 8:49 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

1. In § 127.85b *Export licenses required for articles and parcels addressed to certain foreign countries* (16 F. R. 2657), amend present paragraph (c) (2) to read as follows:

(2) The Office of International Trade, Department of Commerce, has established general licenses known as "GTD" and "GTDA" under which technical data may be exported to foreign countries without obtaining validated licenses. Persons mailing technical data to foreign countries under either of those general licenses should mark the wrappers "GTD—Export License Not Required", or "GTDA—Export License Not Required", as the case may be. Articles or parcels so marked are to be accepted, if mailable to the destination concerned, with the understanding that the mailer knows the contents to be exportable under the general license denoted by the symbol used. Patrons desiring information as to the scope and use of these general licenses should be referred to the Projects and Technical Data Division, Office of International Trade, Department of Commerce, Washington 25, D. C., or to any field office of that Department.

2. In § 127.276 *Hungary* (15 F. R. 6124), amend subdivision (iii) of paragraph (b) (4) by striking out the third sentence of (a) and inserting in lieu thereof: "Duty, if paid subsequent to the mailing, will be at the rate of 50 cents per pound for parcels mailed on and after October 1, 1951. Duty paid prior to mailing remains at the rate of 30 cents per pound. If this procedure is not followed, and if the addressees are unable or unwilling to take delivery of such parcels, they may be treated as undeliverable."

3. In § 127.282 *Israel (State of)*, amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters and post cards, 25 cents per half ounce; air letter sheets, 10 cents each. Other regular mail articles 52 cents for first 2 ounces and 31 cents for each additional 2 ounces. (See § 127.20)

4. In § 127.293 *Liberia*, amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters and post cards, 25 cents per half ounce; air letter sheets, 10 cents each. Other regular mail articles 48 cents for first 2 ounces and 27 cents for each additional 2 ounces. (See § 127.20)

5. In § 127.349 *Senegal*, amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters and post cards, 25 cents per half ounce; air letter sheets, 10 cents each. Other regular mail articles 44 cents for first 2 ounces and 23 cents for each additional 2 ounces. (See § 127.20)

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-13383; Filed, Nov. 6, 1951; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 865, Amdt. 17]

PART 95—CAR SERVICE

DEMURRAGE ON FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of October A. D. 1951.

Upon further consideration of Service Order No. 865 (15 F. R. 6197, 6256, 6330, 6452, 7800; 16 F. R. 320, 819, 1131, 2040, 2894, 3619, 5175, 6184, 7359, 8583, 9901, 10994), and good cause appearing therefor: *It is ordered*, That:

Section 95.865 *Demurrage on freight cars* of Service Order No. 865, as amended, be and it is hereby suspended to the extent that it shall not apply to cars on hand at 7:00 a. m., November 1, 1951, or arriving prior to 7:00 a. m., November 15, 1951, the unloading of which is interfered with due to strike of longshoremen at ports where such interference actually exists.

It is further ordered, That this amendment shall become effective at 7:00 a. m., November 1, 1951, and a copy be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384 as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-13391; Filed, Nov. 6, 1951; 8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 34—SOUTHEASTERN REGION

SUBPART—ST. MARKS NATIONAL WILDLIFE REFUGE, FLORIDA

HUNTING PERMITTED; DOGS

Basis and purpose. On the basis of observations and report of field representatives of the Fish and Wildlife Service, it has been determined that there continues to be an overabundant population of bobcat, racoon, fox, opossum, squirrel, and quail in certain parts of the St. Marks National Wildlife Refuge, the removal of which, in keeping with wildlife management objectives and without interfering with the primary purpose of the refuge, can best be accomplished by allowing these animals to be taken by public hunting.

Inasmuch as the following regulation is a relaxation of existing regulations applicable to the St. Marks National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, §§ 34.186 and 34.188 are revised to read as follows:

§ 34.186 *Hunting permitted.* Raccoons, foxes, opossums, bobcats, squirrels, and quail may be taken in accordance with the laws and regulations of the State of Florida on such lands of the United States within the St. Marks National Wildlife Refuge as may be designated by suitable posting following an annual examination of the refuge by representatives of the Fish and Wildlife Service, at such times, and under such special regulations and conditions as may be prescribed by the officer in charge of the refuge, copies of which shall be posted on the refuge and available at refuge headquarters. All hunting also shall be in accordance with the provisions of §§ 34.187 to 34.190, inclusive.

§ 34.188 *Dogs.* Each person hunting for quail on the public hunting ground will be permitted to take his dogs, not to exceed two in number, upon the refuge, but such dogs will not be permitted to run at large on the public shooting ground or elsewhere on the refuge. Dogs used for raccoon or opossum hunting on the refuge shall at all times be under the general control of their owner, and shall not be permitted to run at large on the public hunting ground or elsewhere on the refuge. The use of dogs in the hunting of bobcats, foxes, and squirrels is prohibited.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: November 1, 1951.

CLARENCE COTTAM,
Acting Director.

[F. R. Doc. 51-13376; Filed, Nov. 6, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 955]

GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF., AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951–52 FISCAL PERIOD

Consideration is being given to the following proposals submitted by the Administrative Committee, established under Marketing Agreement No. 96, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, as the agency to administer the terms and provisions thereof; (1) That the Secretary of Agriculture find that expenses not to exceed $21,625 will be necessarily incurred during the fiscal period August 1, 1951, to July 31, 1952, for the maintenance and functioning of the committee established under the aforesaid amended marketing agreement and order, and (2) that the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships grapefruit shall pay during the aforesaid fiscal period in accordance with the aforesaid amended marketing agreement and order, the rate of assessment at $0.0125 per standard box of fruit shipped by such handler as the first handler thereof during such fiscal period.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used in this section, "handler," "shipped," "fruit," "fiscal period," and "standard box" shall have the same meaning as is given to each such term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 1st day of November 1951.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–13390; Filed, Nov. 6, 1951; 8:48 a. m.]

NOTICES

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request 23]

REQUEST TO PARTICIPATE IN VOLUNTARY PLAN RELATING TO THE SAVING OF NEWSPRINT BY BOSTON DAILY NEWSPAPERS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in a Voluntary Plan, entitled "Voluntary Plan Relating to the Saving of Newsprint by Boston Daily Newspapers," dated September 4, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Defense Production Administration and was transmitted to the companies listed below.

The Voluntary Plan is intended to make additional newsprint available at Canadian and American mills to handle defense demands more effectively and to provide additional newsprint for smaller newspapers. It has been approved by the Administrator of the Defense Production Administration and found to be in the public interest as contributing to the National Defense.

CONTENTS OF REQUEST

You are requested to participate in a Voluntary Plan, entitled "Voluntary Plan Relating to the Saving of Newsprint by Boston Daily Newspapers," a copy of which is enclosed.

In my opinion, your participation will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to Section 708 of the Defense Production Act of 1950, as amended.

I approve the Voluntary Plan and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon advising me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given only upon such acceptance, provided that your acts relative to such participation are within the scope of this Voluntary Plan.

Your cooperation in this matter will be appreciated.

Sincerely,

MANLY FLEISCHMANN,
Administrator.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Boston Globe, 242 Washington Street, Boston, Mass.

Boston Post, 259 Washington Street, Boston, Mass.

Boston Herald-Traveler, 80 Mason Street, Boston, Mass.

Boston Record American, 5 Winthrop Square, Boston, Mass.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

Dated: November 5, 1951.

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–13447; Filed, Nov. 5, 1951; 4:28 p. m.]

ECONOMIC STABILIZATION AGENCY

Office of Administrator

AMENDMENT OF PRIOR ORDERS RELATING TO INTERNAL ORGANIZATION

By virtue of the authority vested in me as Economic Stabilization Administrator by Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105), as amended, and as further amended by Executive Order No. 10281 of August 28, 1951 (16 F. R. 8789), as amended, and in order to further define the internal organization of the Economic Stabilization Agency, it is hereby determined and ordered:

SECTION 1. The term "Executive Order 10161 of September 9, 1950," where it occurs in Economic Stabilization Agency General Order No. 2 of January 24, 1951, General Order No. 3 of January 24, 1951, General Order No. 7 of September 27, 1951, as revised, General Order No. 8 of September 10, 1951, as revised, General Order No. 9 of July 31, 1951, as amended, General Order No. 10 of August 22, 1951, and General Order No. 11 of September 27, 1951, shall be deemed to include Executive Order 10161 of September 9, 1950, as amended, except as may be inappropriate.

SEC. 2. The term "constituent organizations of the Economic Stabilization Agency" where it occurs in Economic Stabilization Agency General Order No. 10 shall be deemed to include the Office of Price Stabilization, Wage Stabilization Board, Salary Stabilization Board, Office of Rent Stabilization, the Railroad and Airline Wage Board, and any similar organizations created in the Economic Stabilization Agency.

SEC. 3. This order shall be effective immediately.

Issued: Washington, D. C., November 2, 1951.

ERIC JOHNSTON,
Administrator.

[F. R. Doc. 51–13443; Filed, Nov. 5, 1951; 2:36 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1308]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 1, 1951.

Notice is hereby given that, on Octo- 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, amending order (15 F. R. 3296) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13377; Filed, Nov. 6, 1951; 8:45 a. m.]

[Docket No. G-1435]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 1, 1951.

Notice is hereby given that, on October 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, amending order (16 F. R. 2666) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13378; Filed, Nov. 6, 1951; 8:45 a. m.]

[Docket No. G-1635]

HOPE NATURAL GAS CO.

NOTICE OF ORDER MODIFYING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 1, 1951.

Notice is hereby given that, on October 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, modifying order (16 F. R. 7335) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13379; Filed, Nov. 6, 1951; 8:45 a. m.]

[Docket No. G-1755]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF FINDINGS AND ORDER ISSUING TEMPORARY CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 1, 1951.

Notice is hereby given that, on October 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, issuing a temporary certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13380; Filed, Nov. 6, 1951; 8:45 a. m.]

[Docket No. G-1770]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 1, 1951.

Notice is hereby given that, on October 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13381; Filed, Nov. 6, 1951; 8:46 a. m.]

[Docket No. G-1804]

UNITED GAS PIPE LINE CO.

NOTICE OF ORDER DISMISSING PETITION

NOVEMBER 1, 1951.

Notice is hereby given that, on October 31, 1951, the Federal Power Commission issued its order, entered October 30, 1951, dismissing petition in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13382; Filed, Nov. 6, 1951; 8:46 a. m.]

[Docket No. G-1828]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

NOVEMBER 1, 1951.

Take notice that El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal place of business in El Paso, Texas, filed on September 24, 1951, an application pursuant to section 7 of the Natural Gas Act for an order permitting and approving partial abandonment of natural-gas service to West Texas Gas Company (West Texas) being presently rendered at Hereford and Sudan, Texas, under Applicant's service agreement dated June 11, 1951 and filed with the Commission on June 29, 1951.

The service agreement between Applicant and West Texas provides that Applicant continue to sell natural gas to West Texas at the above-mentioned delivery points in amounts up to 34,122 Mcf per day through June 30, 1952, and thereafter the contract volumes be reduced to 20,000 Mcf per day through June 30, 1956.

Applicant states that West Texas will not require in excess of 20,000 Mcf of gas per day for peak day delivery for the 1952-53 and subsequent heating seasons, and that the proposed curtailment of service is in accordance with the request of West Texas.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 21st day of November, 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-13396; Filed, Nov. 6, 1951; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9189, 9652, 9653, 9654]

HUSH-A-PHONE CORP. ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Friday, November 30, 1951, the Commission will hear oral argument in Room 6121, on the following matters in the order indicated:

ARGUMENT NO. 1

Docket No.				
9189	----------	Hush-A-Phone Corp. and Harry C. Tuttle (complainants), vs. American Telephone & Telegraph Co. et al. (defendants).	----------	Complaint.

ARGUMENT NO. 2

9652 BL-3737	KELT	Oil City Broadcasting Co., Electra, Tex.	License to cover C. P.....	1050 kc 250 w day daytime.
9653 BAP-126	KELT	Oil City Broadcasting Co. (assignor), Oil City Broadcasting Co. (assignee), Electra, Tex.	Voluntary assignment of C. P.	1050 kc 250 w day daytime.

ARGUMENT No. 3

Docket No.				
9654 BP-2232	KSVC	Sevier Valley Broadxasting Co., Richfield, Utah.	Renewal of license.....	690 kc 1 kw day daytime.

Dated: November 1, 1951.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-13406; Filed, Nov. 6, 1951; 8:50 a. m.]

[Docket Nos. 9804, 9805]

TRIBUNE PUBLISHING CO. ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Friday December 7, 1951, the Commission will hear oral argument in Room 6121, on the following matter:

Docket No.			
9804 EP-7703	New	Tribune Publishing Co., Tacoma, Wash.	C. P.
9805 BP-7794	KBRO	Bruce Bartley tr./as Bremerton Broadcast Co., Bremerton, Wash.	C. P.

Dated: November 1, 1951.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-13405; Filed, Nov. 6, 1951; 8:50 a. m.]

[Docket No. 9947]

VIDALIA BROADCASTING CO. (WVOP)

ORDER SCHEDULING FURTHER HEARING

In re application of M. F. Brice and R. E. Ledford, d/b as Vidalia Broadcasting Company (WVOP), Vidalia, Georgia, Docket No. 9947, File No. BP-7834; for construction permit.

The Commission having under consideration the further hearing in the above-entitled proceeding; and

It appearing, that at the completion of the testimony in this proceeding in Washington, D. C., on September 12, 1951, the hearing was adjourned until further order pending action by the Commission upon the petition to enlarge the issues filed August 23, 1951 by applicant; and

It further appearing, that upon petition filed by Vidalia Broadcasting Company on September 20, 1951, and concurred in by the Chief of the Broadcast Bureau, the place of further hearing in the above-entitled proceeding was changed from Washington, D. C. to Vidalia, Georgia, for the purpose of taking testimony on the non-engineering phases thereof;

It is ordered, This 31st day of October 1951, that further hearing on the above-entitled application shall be commenced at 10:00 o'clock a. m., December 4, 1951, in Vidalia, Georgia.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-13407; Filed, Nov. 6, 1951; 8:50 a. m.]

[Docket No. 10079]

LEE COUNTY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of H. L. Ginsberg, W. G. Deschamps, Jr., J. L. DuBose, G. H. McElveen and Thurston Webb, d/b as Lee County Broadcasting Company, Bishopville, South Carolina, Docket No. 10079, File No. BP-8203; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 31st day of October 1951;

The Commission having under consideration the above-entitled application of the Lee County Broadcasting Company requesting the facilities of 620 kilocycles, 1 kilowatt power, daytime only at Bishopville, South Carolina;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the standards of good engineering practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on December 5, 1951 at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Stations WAYS, Charlotte, North Carolina, WDNC, Durham, North Carolina, or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Inter City Advertising Company of Charlotte, North Carolina, Inc., licensee of Station WAYS, Charlotte, North Carolina and Durham Radio Corporation, licensee of Station WDNC, Durham, North Carolina, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-13408; Filed, Nov. 6, 1951; 8:50 a. m.]

[Docket Nos. 10080, 10081]

SPRINGHILL BROADCASTING CO., INC. AND RESORT BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Springhill Broadcasting Co., Inc., Springhill, Louisiana, Docket No. 10080, File No. BP-8160; Resort Broadcasting Co., Inc., Hot Springs, Arkansas, Docket No. 10081, File No. BP-8246; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 31st day of October 1951;

The Commission having under consideration the above-entitled applications of Springhill Broadcasting Company requesting the facilities 590 kc, 500 w, daytime only, at Springhill, Louisiana, and of Resort Broadcasting Company requesting the facilities 590 kc. 1 kw, daytime only, at Hot Springs, Arkansas;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding commencing at 10:00 a. m. on December 11, 1951, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the corporate applicants, their officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service proposed to be ren-

dered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with Station KALB, Alexandria, Louisiana, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine whether the antenna proposed by Resort Broadcasting Company would be a hazard to air navigation.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That Alexandria Broadcasting Company, Inc., licensee of Station KALB is made a party to this proceeding with respect to the application of Springhill Broadcasting Company only.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-13404; Filed, Nov. 6, 1951; 8:50 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY AUTHORIZING ADVANCE PAYMENTS UNDER CONTRACT WITH THE NATIONAL ACADEMY OF SCIENCES

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended (Pub. Laws 152, 754, 81st Cong.), I hereby authorize the Secretary of the Interior to make such advance payments, in accordance with section 305 of the said act, as he may determine to be necessary in the public interest in connection with a research contract now being formulated between the Department of the Interior and the National Academy of Sciences; and to determine what is adequate security therefor.

2. This authority shall not be redelegated by the Secretary.

This delegation shall take effect immediately and shall expire six months from the date hereof.

Dated: November 1, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-13417; Filed, Nov. 6, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-146]

PORTLAND GAS & COKE CO.

ORDER APPROVING INITIAL BOARD OF DIRECTORS AND RELEASING JURISDICTION

NOVEMBER 1, 1951.

The Commission, on October 10, 1951, having issued an order approving a section 11 (e) plan, as amended, of Portland Gas & Coke Company ("Portland"), a gas utility subsidiary of American Power & Light Company ("American"), a registered holding company, providing, among other things, for the recapitilization of Portland; and

Portland having provided in its section 11 (e) plan, as amended, that there would be submitted to the Commission for its approval, prior to the effective date of said plan, a list of the names of eleven persons to serve as the initial Board of Directors of Portland after the effective date, and to hold office until the first annual meeting of stockholders to be held in accordance with the amended bylaws of the Company; and

The Commission in its order dated October 10, 1951, having reserved jurisdiction with respect to the selection or election and the composition of the initial Board of Directors of Portland; and

Portland on October 25, 1951, having filed with the Commission a list of names of eleven persons selected to serve as the initial Board of Directors of the Company and having represented that all of the persons proposed for said initial Board are, in the opinion of the Company, well qualified to serve, that none of the said persons are officers, directors or employees of American, and that the qualifications and selection of the said persons have been discussed with and approved by the Preferred Stockholders Committee and a substantial number of security holders of Portland in addition to those represented by said Committee; and

The Commission having considered the list of names of the eleven persons submitted by Portland as the proposed initial Board of Directors of the Company to hold office until the first annual meeting of stockholders, and having determined that such persons afford reasonably appropriate representation of the security holders of Portland having voting power after consummation of the plan and otherwise meet the requirement specified in our findings and opinion herein of August 29, 1951, and of the act, and should be approved:

It is ordered, That the jurisdiction heretofore reserved with respect to the selection or election and the composition of the initial Board of Directors of Portland be and it is hereby released; and that the persons designated by Portland to constitute the initial Board of Directors of Portland and to hold office until the first annual meeting of stockholders in accordance with the amended bylaws of the Company are hereby approved.

It is further ordered, That the jurisdiction heretofore reserved with respect to other matters in connection with the proceedings be and it is hereby continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-13386; Filed, Nov. 6, 1951; 8:47 a. m.]

[File No. 70-2713]

WEST TEXAS UTILITIES CO.

SUPPLEMENTAL ORDER CONCERNING RESULTS OF COMPETITIVE BIDDING ON FIRST MORTGAGE BONDS

NOVEMBER 1, 1951.

West Texas Utilities Company ("West Texas"), a public-utility subsidiary of Central and South West Corporation ("Central"), a registered holding company, having filed a declaration, and amendments thereto, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, regarding the issuance and sale at competitive bidding of $8,000,000 principal amount of its First Mortgage Bonds, Series C, __ percent, due 1981; and

The Commission, by order dated October 18, 1951, having permitted the declaration, as amended, to become effective, subject to the condition that the proposed issuance and sale of said bonds not be consummated until the results of competitive bidding, pursuant to Rule U-50, had been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record so completed; and

West Texas, on November 1, 1951, having filed a further amendment to said declaration setting forth the action taken by it to comply with the requirements of Rule U-50, and stating that, pursuant to the invitation for competitive bids, the following bids for said bonds were received:

Bidding group	Annual interest rate (percent)	Price to company [1] (percent of principal)	Annual cost to company (percent)
Blyth & Co., Inc. and Salomon Bros. & Hutzler	3-5/8	101.68	3.5337
Merrill Lynch, Pierce, Fenner & Beane	3-5/8	101.611	3.5374
Equitable Securities Corp.	3-5/8	101.55	3.5407
Halsey, Stuart & Co., Inc.	3-5/8	101.53	3.5418
Glore, Forgan & Co.	3-5/8	101.31	3.5536
Kuhn, Loeb & Co. and Lehman Bros.	3-5/8	101.1999	3.5596
Kidder, Peabody & Co.	3-5/8	101.047	3.5679
The First Boston Corp. and Harris, Hall & Co. (Inc.)	3-5/8	101.0299	3.5688

[1] Exclusive of accrued interest from Nov. 1, 1951.

Said amendment further stating that West Texas has accepted the bid of Blyth & Co., Inc. and Salomon Bros. & Hutzler, as set out above, and that said bonds will be offered for sale to the public at 102.31 percent of the principal amount, plus accrued interest, resulting in an underwriting spread of .63 percent of the principal amount or an aggregate of $50,400; and

The Commission having examined said amendment and having considered the record herein and observing no basis for imposing terms and conditions with respect to the price to be received for said bonds or the underwriter's spread;

The Commission also having considered the fees and expenses proposed to be paid which are estimated at $35,000 and finding them not to be unreasonable:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding and with respect to fees and expenses be, and the same hereby is, released, and that said declaration, as further amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-13385; Filed, Nov. 6, 1951; 8:47 a. m.]

[File No. 811-138]

UNITED STATES ELECTRIC LIGHT & POWER SHARES, INC., TRUST CERTIFICATES, SERIES B

ORDER TERMINATING REGISTRATION

NOVEMBER 1, 1951.

United States Electric Light & Power Shares, Inc., Trust Certificates, Series B has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

United States Electric Light & Power Shares, Inc., Trust Certificates, Series B is registered under the act as a unit investment trust. Pursuant to its provisions, the Agreement of Trust, between United States Electric Light & Power Shares, Inc., as Depositor, and Central Hanover Bank and Trust Company, as Trustee, dated February 1, 1930, under which the Applicant was created, was terminated on January 31, 1950. There were then outstanding 552,000 trust shares held of record by 5,749 persons. The Trustee proceeded to sell all securities held by it and to distribute the proceeds of such sale, together with the cash assets of the Applicant, pro rata to the holders of outstanding trust certificates. In connection with the termination of the Agreement of Trust and the distribution of the properties held by the Trustee, under date of February 15, 1950, the Trustee notified each trust certificate holder of the termination of the Agreement of Trust and advised them to surrender their certificates in order to receive the proportionate share of the proceeds of the trust. As of November 27, 1950, $1,488,181.31 of such proceeds had been distributed in cash and there remained in the hands of the Trustee $253,709.89 to make final payment at $3.1556 a share to holders of 80,396 trust shares who had not yet received their pro rata share of such proceeds. The Trustee acknowledges that it holds all of the proceeds in trust for certificate holders, their heirs and assigns. The Trust Agreement contains no specific provision as to the disposition of unclaimed funds.

Notice of the filing of said application having been duly given in the manner and form prescribed by Rule N-5 under the act, and the Commission not having received a request for a hearing within the period specified in said notice, and a hearing not appearing necessary or appropriate in the public interest or for the protection of investors;

Wherefore, the Commission, having considered the matter, finds that United States Electric Light & Power Shares, Inc., Trust Certificates, Series B has ceased to be an investment company, and it is hereby so declared; and

It is ordered, That the registration of United States Electric Light & Power Shares, Inc., Trust Certificates, Series B under the Investment Company Act of 1940 shall forthwith cease to be in effect.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-13384; Filed, Nov. 6, 1951; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26535]

MIXED CARLOADS, ALL FREIGHT FROM PHILADELPHIA, PA., TO JACKSONVILLE AND SOUTH JACKSONVILLE, FLA.

APPLICATION FOR RELIEF

NOVEMBER 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-936.

Commodities involved: All freight, in mixed carloads.

From: Philadelphia, Pa.

To: Jacksonville and South Jacksonville, Fla.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-936, Supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-13392; Filed, Nov. 6, 1951; 8:48 a. m.]

[4th Sec. Application 26536]

LECITHIN BETWEEN BORDER TERRITORY AND EASTERN PORT CITIES

APPLICATION FOR RELIEF

NOVEMBER 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 668.

Commodities involved: Lecithin, oil concentrates, carloads.

Between: Points in North Carolina, southern Virginia, Kentucky, and northeastern Tennessee, on the one hand, and eastern port cities, on the other, over rail-water and water-rail routes.

Grounds for relief: Rail competition, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-13393; Filed, Nov. 6, 1951; 8:48 a. m.]

[4th Sec. Application 26537]

INGOT MOLDS FROM CLEVELAND, OHIO, TO WORCESTER, MASS.

APPLICATION FOR RELIEF

NOVEMBER 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4350.

Commodities involved: Ingot molds, ingot mold sprue plates and stools, carloads.

From: Cleveland, Ohio, and Miles Ave., Ohio.

To: Worcester, Mass.

Grounds for relief: Circuitous routes and competition with water carriers.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, I. C. C. No. 4350, Supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-13394; Filed, Nov. 6, 1951; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18617]

ATAE TAKAHASHI ET AL.

In re: Securities owned by Atae Takahashi and others. F-39-7064.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That Kiku Uri, whose last known address is No. 568-3, Koshienguchi-Tendo-cho, Nishinomiyashi, Hyogo-ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

3. That Atae Takahashi, whose last known address is No. 791 Yoyogi-Honmachi, Shibuya-ken, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

4. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with all declared and unpaid dividends thereon,

b. Those certain debts or other obligations matured or unmatured evidenced by those United States Savings Bonds described below, owned by Atae Takahashi:

Bond No.:	*Face value*
429360	$100.00
844349	100.00
1083564	50.00
1529423	100.00

together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under the aforesaid bonds, and

c. Those certain debts or other obligations matured or unmatured evidenced by those debentures of Consolidated Mines Syndicate described below, owned by Kiku Uri:

Debenture No.:	*Face value*
974	$100.00
1029	10.00
2380	50.00
289	40.00

together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under the aforesaid debentures,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

5. That to the extent that the persons referred to in subparagraph 1 hereof and the persons named in subparagraphs 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

EXHIBIT A

Issuer	Certificate numbers	Number of shares	Owner
American Rice Products Co.	1510	----------	Kiku Uri.
Texas & Gulfcoast Oil Fields Co.	2140	----------	Do.
Congressional Oil Corp.	31248	1,000	Do.
The Axial Basin Development Co.	6826	----------	Do.
	8317	----------	Do.
The Security Oil Co.	70903	5,000	Do.
	5804	200	Do.
The Livingston Gold Mining Co.	331	----------	Do.
	668	----------	Do.
Ramsey Products Co.	1601	----------	Do.
Consolidated Mines Syndicate.	A 3868	----------	Do.
	A 3025	----------	Do.
	7006	----------	Do.
	11000	----------	Do.
	13648	----------	Do.
	A 3672	----------	Do.
	289	----------	Do.
Kip Corp.	999	200	Zenjiro Wakano.
Radio Product Corp.	285	20	Do.
U. S. Mining & Milling Co.	518	----------	Henry C. Watashita.
Gold Ring Mining Co.	817	----------	Do.
	1056	----------	Do.
Centennial Oil & Gas. Co.	1174	268/500	Do.
	3183	1	Do.
	5313	2	Do.
	898	15	Do.
Carbon Dioxide & Chemical Co.	1298	----------	Tom J. Yamasaki also known as Takazi Yamasaki.
	1391		
	1465		
Jumbo Artension Mining Co.	27640	----------	Kyoichi Tango.
Con-Virginia Mining Co.	17726	----------	Do.
	17729	----------	Do.
Mexican Gold & Silver Mining Co.	20852	----------	Do.
	20854	----------	Do.
Tidewater Southern Ry. Co.	3827	----------	Shigetaro Somiya.

[F. R. Doc. 51-13413; Filed, Nov. 6, 1951; 8:51 a. m.]

[Vesting Order 18618]

SUMI TAKASHIMA

In re: Debt owing to Sumi Takashima, also known as Shumi Takashima. D-39-19335-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sumi Takashima, also known as Shumi Takashima, whose last known address is 5220 Hikona Mura, Saihaku Gun, Tottori Ken, Honshu, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of The Yokohama Specie Bank, Ltd., Los Angeles Office and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of a commercial checking account entitled "S. Takashima", maintained at the aforesaid Los Angeles Office, and any and

all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Sumi Takashima, also known as Shumi Takashima, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-13414, Filed, Nov. 6, 1951; 8:51 a. m.]

[Vesting Order 18619]

GEORGE YAMAKAWA

In re: Bank of account owned by George Yamakawa, also known as Hiroshi Yamakawa. F-39-4190-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Yamakawa, also known as Hiroshi Yamakawa, whose last known address is Fukuoka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to George Yamakawa, also known as Hiroshi Yamakawa, by Bank of America N. T. & S. A., 300 Montgomery Street, San Francisco, California, arising out of a Savings Account, account number 922, entitled George Yamakawa, maintained at the Culver City branch office of the aforesaid bank located at 3849 Main Street, Culver City, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-13415; Filed, Nov. 6, 1951; 8:51 a. m.]

[Vesting Order 18566, Amdt.]

BARONESS IONE LOEFFELHOLZ VON COLBERG ET AL.

In re: Debts owing to Baroness Ione Loeffelholz von Colberg and the personal representatives, heirs, next of kin, legatees and distributees of Rudolph Falck, deceased, also known as Rudolf Falck and as Rud. Falck. F-28-9664-D-1, F-28-31685-D-1.

Vesting Order 18566, dated October 18, 1951, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Baroness Ione Loeffelholz von Colberg, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Rudolph Falck, deceased also known as Rudolf Falck and as Rud. Falck, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation owing to Baroness Ione Loeffelholz von Colberg, by United States Steel Corporation, 71 Broadway, New York 6, New York, arising out of dividends on stock of the aforesaid corporation, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees of Rudolph Falck, deceased also known as Rudolf Falck and as Rud. Falck by United States Steel Corporation, 71 Broadway, New York 6, New York, arising out of dividends on stock of the aforesaid corporation, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Baroness Ione Loeffelholz von Colberg and the personal repersentatives, heirs, next of kin, legatees and distributees of Rudolph Falck, deceased also known as Rudolf Falck and as Rud. Falck, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

5. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Rudolph Falck, deceased also known as Rudolf Falck and as Rud. Falck are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-13416; Filed, Nov. 6, 1951; 8:51 a. m.]